

A. AGRICULTURAL OUTREACH PLAN (AOP). EACH STATE AGENCY MUST DEVELOP AN AOP EVERY FOUR YEARS AS PART OF THE UNIFIED OR COMBINED STATE PLAN REQUIRED UNDER SECTIONS 102 OR 103 OF WIOA. THE AOP MUST INCLUDE AN ASSESSMENT OF NEED. AN ASSESSMENT NEED DESCRIBES THE UNIQUE NEEDS OF FARMWORKERS IN THE AREA BASED ON PAST AND PROJECTED AGRICULTURAL AND FARMWORKER ACTIVITY IN THE STATE. SUCH NEEDS MAY INCLUDE BUT ARE NOT LIMITED TO: EMPLOYMENT, TRAINING, AND HOUSING.

1. ASSESSMENT OF NEED. PROVIDE AN ASSESSMENT OF THE UNIQUE NEEDS OF FARMWORKERS IN THE AREA BASED ON PAST AND PROJECTED AGRICULTURAL AND FARMWORKER ACTIVITY IN THE STATE. SUCH NEEDS MAY INCLUDE BUT ARE NOT LIMITED TO: EMPLOYMENT, TRAINING, AND HOUSING.

In Texas, one of every seven working Texans (14 percent) is in an agriculture-related job. The average age of Texas farmers and ranchers is 58 years. Moreover, Texas has more farm operations owned by women and minorities than any other state. The needs of migrant and seasonal farmworkers (MSFWs) are best understood by considering Texas' agricultural industry.

The economic impact of Texas agriculture on the national economy is significant. Texas is in third place with respect to national agricultural production, behind California and Iowa. Texas leads the nation in the number of farms and ranches, with 241,500 covering nearly 130 million acres, and it leads the nation in value of farm real estate. Additionally, Texas leads the nation in the production of cattle, cotton, hay, sheep, goats, wool, and mohair.

Rural lands, including privately owned forest, comprise 144 million acres, which is 86 percent of the state's land area. Twelve percent of Texas' population lives in rural areas, and 98.5 percent of Texas farms and ranches are family farms, partnerships, or family-held corporations.

According to the National Agricultural Statistics Service, US Department of Agriculture; the Texas Department of Agriculture; and the Center for North American Studies, Texas A&M AgriLife Extension Service, the top 10 sources of cash receipts from the sale of US-produced farm commodities are cattle and calves, broilers, dairy products, cotton, greenhouse and nursery, corn, chicken eggs, grain sorghum, wheat, and hay. The food and fiber sector totals more than \$100 billion annually, and cash receipts, including timber, average \$24.1 billion annually. Additionally, during 2018, Texas sold \$7.66 billion in agricultural exports to foreign countries. According to the National Agricultural Statistics services, US Department of Agriculture; the Texas Department of Agriculture; and the Center for North American Studies, Texas A&M AgriLife Extension Service, the top 10 sources of cash receipts from the sale of US-produced farm commodities are cattle and calves, broilers, dairy products, cotton, greenhouse and nursery products, corn, chicken eggs, grain sorghum, wheat, and hay. The food and fiber sector totals more than \$100 billion annually. Additionally, during 2020, Texas sold \$5.81 billion in agricultural exports to foreign countries.

National Rank	Commodity	Value in Millions of Dollars
1	Cotton	\$2,900
2	Beef	\$976
3	Other plant products	\$1,500
3	Cattle and Livestock Products	\$277
National Rank	Commodity	Value in Millions of Dollars

3	Hides and skins	\$149
3	Pecans	\$87
4	Cottonseed, Sunflower seed, and their products	\$110
5	Rice	\$101
5	Milk and milk products	\$326
6	Broiler meat	\$216
8	Feeds and fodders	\$47
8	Fresh fruits	\$43
9	Grain products	\$288
10	Wheat	\$176
11	Other poultry products (eggs, etc.)	\$79
12	Corn	\$309
12	Fresh vegetables	\$45
14	Pork	\$50

Texas Agricultural Exports National Rankings, 2020

Rank	Commodity	Value (million \$)
6	Total Agricultural Exports	\$ 5,814
1	Cotton	\$ 1,702
2	Beef and veal	\$ 1,030
3	Other livestock products	\$ 255
4	Dairy products	\$ 438
4	Broiler meat	\$ 239
4	Other oilseeds and products	\$ 142
4	Hides and skins	\$ 87
5	Rice	\$ 109
5	Tree nuts	\$ 67
7	Other plant products	\$ 521
9	Feeds and other feed grains	\$ 320
9	Wheat	\$ 191
9	Grain products, processed	\$ 138
9	Fruits, fresh	\$ 45
9	Fruits, processed	\$ 37
10	Other poultry products	\$ 78
12	Corn	\$ 187
14	Pork	\$ 89
14	Vegetables, processed	\$ 63
14	Vegetables, fresh	\$ 38

Source: Economic Research Services, USDA/ERS

[Texas Agriculture National Rankings, 2020](#)

<u>National Rank</u>	<u>Commodity</u>	<u>Value (Millions of Dollars)</u>
<u>6</u>	<u>Total Agriculture Exports</u>	<u>5,814</u>
<u>1</u>	<u>Cotton</u>	<u>1,702</u>
<u>2</u>	<u>Beef and Veal</u>	<u>1,030</u>
<u>3</u>	<u>Other Cattle and Livestock Products</u>	<u>255</u>
<u>4</u>	<u>Dairy Products</u>	<u>438</u>
<u>4</u>	<u>Broiled Meat</u>	<u>239</u>
<u>4</u>	<u>Other Oilseeds and Products</u>	<u>142</u>
<u>4</u>	<u>Hides and Skins</u>	<u>87</u>
<u>5</u>	<u>Tree Nuts</u>	<u>67</u>
<u>7</u>	<u>Other Plant Products</u>	<u>521</u>
<u>9</u>	<u>Feeds and Other Feed Grains</u>	<u>320</u>
<u>9</u>	<u>Wheat</u>	<u>191</u>
<u>9</u>	<u>Grain Products, Processed</u>	<u>138</u>
<u>9</u>	<u>Fruits, Fresh</u>	<u>45</u>
<u>9</u>	<u>Fruits, Processed</u>	<u>37</u>
<u>10</u>	<u>Other Poultry Products</u>	<u>78</u>
<u>12</u>	<u>Corn</u>	<u>187</u>
<u>14</u>	<u>Pork</u>	<u>89</u>
<u>14</u>	<u>Vegetables, Processed</u>	<u>63</u>
<u>14</u>	<u>Vegetables, Fresh</u>	<u>38</u>

Source: Economic Research Services, USDA/ERS

2. AN ASSESSMENT OF THE AGRICULTURAL ACTIVITY IN THE STATE MEANS: 1) IDENTIFYING THE TOP FIVE LABOR-INTENSIVE CROPS, THE MONTHS OF HEAVY ACTIVITY, AND THE GEOGRAPHIC AREA OF PRIME ACTIVITY; 2) SUMMARIZE THE AGRICULTURAL EMPLOYERS' NEEDS IN THE STATE (I.E. ARE THEY PREDOMINANTLY HIRING LOCAL OR FOREIGN WORKERS, ARE THEY EXPRESSING THAT THERE IS A SCARCITY IN THE AGRICULTURAL WORKFORCE); AND 3) IDENTIFYING ANY ECONOMIC, NATURAL, OR OTHER FACTORS THAT ARE AFFECTING AGRICULTURE IN THE STATE OR ANY PROJECTED FACTORS THAT WILL AFFECT AGRICULTURE IN THE STATE

### **Texas Agricultural Regions**

Texas ranked fourth nationally in the value of agricultural exports in 2018 and 12th in fresh-vegetable production, accounting for 2 percent of US vegetable production. Texas' fresh-vegetable production was valued at \$276 million in terms of cash receipts in 2018. The leading counties for vegetable acres harvested were Hidalgo, Starr, and Cameron. Other important counties include Frio, Uvalde, Duval, Webb, Hale, Yoakum, and Zavala. Texas ranked eighth in fruit production and fourth in tree-nut production, with combined fruit and nut production valued at \$218 million.

Land preparation, planting, irrigating, and harvesting are ongoing activities. Therefore, agricultural employment occurs at numerous locations and is year-round. Usually, employment for farmworkers begins in the Lower Rio Grande Valley region, served by the Lower Rio Grande Valley and Cameron County Boards, and the Winter Garden and South/Central region, served by the Middle Rio Grande Board. Employment of migrant farmworkers moves northward to the

Texas Panhandle as the agricultural season progresses. Workers who follow this crop pattern may migrate to other states as well. Texas ranked sixth nationally in the value of agricultural exports in 2020 and 14th in fresh vegetable production, accounting for about 2 percent of US vegetable production. The leading counties for vegetable acres harvested were Hidalgo, Starr, and Cameron. Other important counties include Frio, Uvalde, Duval, Webb, Hale, Yoakum, and Zavala. Texas ranked ninth in fruit production and fifth in tree nut production, with combined fruit and nut production values at \$148 million.

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### **Review of Previous Year's Agricultural Activity in Texas**

For the Program Year 2018 (PY'18) Agricultural Outreach Plan (Plan), TWC used the most recent available data. Although Texas regions support a wide variety of agricultural activities, data are not collected by a single entity using consistent time frames and methods. Data are limited for agricultural activities such as producing wheat, grain, and other labor-extensive crops and for intensive labor production such as cotton ginning. Furthermore, available data sources do not collect production or forecast data based on a federal program year; for the purposes of this plan, calendar years are used when no other data are available. TWC is working with agricultural associations and other sources to improve the data available for planning.

Table 1 summarizes the agronomic crop production statistics for each of Texas' primary growing regions for Calendar Years 2017-2018 (CY'17-'18). Regional production statistics for horticultural crops are also unavailable currently. For agronomic crops, the vast acreages of grain and row crops in the high plains and rolling plains make up most of the 10.7 million acres planted in the plains region. The eastern region of the state accounted for the bulk of the rest of agronomic crop production in Texas. Agronomic crops are typically less labor intensive because more capital machinery is used in planting and harvesting as compared to most horticultural crops.

All data are from National Agricultural Statistics Service, USDA, and Center for North American Studies, Texas A&M AgriLife Extension Service. For the Program Year 2020 (PY'20) Agricultural Outreach Plan, TWC used the most recent available data. Although Texas regions support a wide variety of agricultural activities, data is not collected by a single entity using consistent time frames and methods. Data is limited for agricultural activities such as producing wheat, grain, and other labor-extensive crops and for labor-intensive production such as cotton ginning. Furthermore, available data sources do not collect production or forecast data based on the federal program year. For the purposes of this plan, calendar years are used when no other data is available. TWC is working with agricultural associations and other sources to improve the data available for planning.

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majority of the remainder of agronomic crop production in Texas. Agronomic crops are typically less labor intensive because more capital machinery is used in planting and harvesting as compared to most horticultural crops.

It's important to note that some inconsistencies can be observed during 2020 due to a lack of fully reported data from some regions. Most notably, there is a lack of reporting for cotton in all regions, which explains part of the large decrease in planted and harvested acres of the Far West region.

**Table 1**

Region	Area Planted (in acres) in 2017	Area Planted (in acres) in 2018	Area Harvested (in acres) in 2017	Area Harvested (in acres) in 2018	Main Crops
Lower Rio Grande Valley	577,700	556,100	546,900	422,330	corn, cotton, sorghum, sugar cane
Winter Garden and South Central	1,377,300	1,171,200	971,720	697,500	corn, cotton, sorghum, wheat
Plains	10,535,900	10,708,400	7,092,390	5,254,020	corn, cotton, peanuts, sorghum, wheat
Far West	531,500	377,700	373,300	47,200	cotton, wheat
Eastern	3,652,000	3,643,300	3,083,130	2,991,100	corn, cotton, rice, sorghum, soybean, wheat
<b>State Totals</b>	<b>16,674,400</b>	<b>16,456,700</b>	<b>12,067,440</b>	<b>9,412,150</b>	

<u>Region</u>	<u>Area Planted (in acres) 2018</u>	<u>Area Planted (in acres) 2019</u>	<u>Area Planted (in acres) 2020</u>	<u>Area Harvested (in acres) 2018</u>	<u>Area Harvested (in acres) 2019</u>	<u>Area Harvested (in acres) 2020</u>	<u>Main Crops</u>
<u>Lower Rio Grande Valley</u>	<u>506,200</u>	<u>328,300</u>	<u>302,300</u>	<u>414,230</u>	<u>339,100</u>	<u>261,600</u>	<u>corn, cotton, sorghum, sugar cane</u>
<u>Plains</u>	<u>7,787,180</u>	<u>8,587,100</u>	<u>4,300,700</u>	<u>3,960,660</u>	<u>5,411,410</u>	<u>2,116,060</u>	<u>corn, cotton, peanuts, sorghum, wheat</u>
<u>Eastern</u>	<u>2,844,300</u>	<u>2,480,300</u>	<u>1,962,000</u>	<u>2,404,710</u>	<u>2,212,050</u>	<u>1,518,060</u>	<u>corn, cotton, rice, sorghum,</u>

							<a href="#">soybean,</a> <a href="#">wheat</a>
<a href="#">Far West</a>	<a href="#">437,700</a>	<a href="#">522,600</a>	<a href="#">13,300</a>	<a href="#">46,100</a>	<a href="#">382,800</a>	<a href="#">2,430</a>	<a href="#">cotton,</a> <a href="#">wheat</a>
<a href="#">Winter Garden and South Central</a>	<a href="#">1,049,900</a>	<a href="#">1,120,900</a>	<a href="#">733,200</a>	<a href="#">654,290</a>	<a href="#">832,960</a>	<a href="#">369,530</a>	<a href="#">corn,</a> <a href="#">cotton,</a> <a href="#">sorghum,</a> <a href="#">wheat</a>
<a href="#">Texas Totals</a>	<a href="#">12,625,280</a>	<a href="#">13,039,200</a>	<a href="#">7,311,500</a>	<a href="#">7,479,990</a>	<a href="#">9,178,320</a>	<a href="#">4,267,670</a>	

**Source:** Data is from the National Agricultural Statistics Service, USDA, [USDA](#), and [Center for North American Studies](#), [Texas A&M AgriLife Extension Service](#).

**Review of the Previous Year’s Agricultural Worker Activity in Texas**  
**The Lower Rio Grande Valley has the most labor-intensive production, accounting for most of the horticultural crops in Texas, followed by the Winter Garden and South/Central regions.**

**However, horticultural crops are grown throughout the state. Table 2 provides data on Texas**

**vegetable production and average monthly labor, with crop information for CY’16 and CY’17. Fruit and vegetable production is typically the most labor intensi**

The Lower Rio Grande Valley has the most labor-intensive production, accounting for most of the horticultural crops in Texas, followed by the Winter Garden and South/Central regions. However, horticultural crops are grown throughout the state. Table 2 provides data on Texas vegetable production and average monthly labor, with crop information for CY’18–20. Fruit and vegetable production is typically the most labor intensive.

**Table 2**

<a href="#">Crop</a>	<a href="#">CY’18 Acres</a>	<a href="#">CY’18 Labor Est.</a>	<a href="#">CY’18 Months</a>	<a href="#">CY’19 Acres</a>	<a href="#">CY’19 Labor Est.</a>	<a href="#">CY’19 Months</a>	<a href="#">CY’20 Acres</a>	<a href="#">CY’20 Labor Est.</a>	<a href="#">CY’20 Months</a>
<a href="#">Citrus (1,000 Boxes)</a>	<a href="#">7,000</a>	<a href="#">4,144</a>	<a href="#">8</a>	<a href="#">6,640</a>	<a href="#">3,329</a>	<a href="#">8</a>	<a href="#">4,960</a>	<a href="#">2,937</a>	<a href="#">8</a>
<a href="#">Peaches (Tons)<sup>1</sup></a>	<a href="#">2,400</a>	<a href="#">61</a>	<a href="#">3</a>	<a href="#">2,400</a>	<a href="#">61</a>	<a href="#">3</a>	<a href="#">2,400</a>	<a href="#">61</a>	<a href="#">3</a>
<a href="#">Pecans (1,000 Pounds)<sup>1</sup></a>	<a href="#">33,600</a>	<a href="#">101</a>	<a href="#">3</a>	<a href="#">37,500</a>	<a href="#">113</a>	<a href="#">3</a>	<a href="#">42,600</a>	<a href="#">128</a>	<a href="#">3</a>
<a href="#">Bell Peppers<sup>1</sup></a>	<a href="#">175</a>	<a href="#">295</a>	<a href="#">6</a>	<a href="#">175</a>	<a href="#">295</a>	<a href="#">6</a>	<a href="#">175</a>	<a href="#">295</a>	<a href="#">6</a>
<a href="#">Cabbage</a>	<a href="#">5,000</a>	<a href="#">510</a>	<a href="#">5</a>	<a href="#">(D)</a>	<a href="#">N/A</a>	<a href="#">5</a>	<a href="#">6,400</a>	<a href="#">663</a>	<a href="#">5</a>

<a href="#">Cantaloupes<sup>1</sup></a>	<a href="#">2,000</a>	<a href="#">321</a>	<a href="#">2</a>	<a href="#">2,000</a>	<a href="#">321</a>	<a href="#">2</a>	<a href="#">2,000</a>	<a href="#">321</a>	<a href="#">2</a>
<a href="#">Carrots<sup>1</sup></a>	<a href="#">1,418</a>	<a href="#">58</a>	<a href="#">3</a>	<a href="#">1,418</a>	<a href="#">58</a>	<a href="#">3</a>	<a href="#">1,418</a>	<a href="#">58</a>	<a href="#">3</a>
<a href="#">Chile Peppers<sup>1</sup></a>	<a href="#">2,500</a>	<a href="#">1,385</a>	<a href="#">5</a>	<a href="#">2,500</a>	<a href="#">1,385</a>	<a href="#">5</a>	<a href="#">2,500</a>	<a href="#">1,385</a>	<a href="#">5</a>
<a href="#">Cucumbers</a>	<a href="#">4,900</a>	<a href="#">4,288</a>	<a href="#">5</a>	<a href="#">(D)</a>	<a href="#">N/A</a>	<a href="#">5</a>	<a href="#">5,700</a>	<a href="#">4,968</a>	<a href="#">5</a>
<a href="#">Honeydews<sup>1</sup></a>	<a href="#">302</a>	<a href="#">34</a>	<a href="#">2</a>	<a href="#">302</a>	<a href="#">34</a>	<a href="#">2</a>	<a href="#">302</a>	<a href="#">34</a>	<a href="#">2</a>
<a href="#">Onions</a>	<a href="#">11,000</a>	<a href="#">1,587</a>	<a href="#">4</a>	<a href="#">900</a>	<a href="#">1,296</a>	<a href="#">4</a>	<a href="#">11,000</a>	<a href="#">1,587</a>	<a href="#">4</a>
<a href="#">Potatoes</a>	<a href="#">17,500</a>	<a href="#">257</a>	<a href="#">4</a>	<a href="#">14,800</a>	<a href="#">218</a>	<a href="#">4</a>	<a href="#">15,300</a>	<a href="#">225</a>	<a href="#">4</a>
<a href="#">Pumpkins</a>	<a href="#">4,800</a>	<a href="#">183</a>	<a href="#">4</a>	<a href="#">(D)</a>	<a href="#">N/A</a>	<a href="#">4</a>	<a href="#">3,700</a>	<a href="#">138</a>	<a href="#">4</a>
<a href="#">Spinach, Fresh</a>	<a href="#">210</a>	<a href="#">504</a>	<a href="#">4</a>	<a href="#">(D)</a>	<a href="#">N/A</a>	<a href="#">4</a>	<a href="#">2,800</a>	<a href="#">672</a>	<a href="#">4</a>
<a href="#">Squash<sup>1</sup></a>	<a href="#">1,500</a>	<a href="#">455</a>	<a href="#">6</a>	<a href="#">1,500</a>	<a href="#">455</a>	<a href="#">6</a>	<a href="#">1,500</a>	<a href="#">455</a>	<a href="#">6</a>
<a href="#">Sweet Corn<sup>1</sup></a>	<a href="#">2,329</a>	<a href="#">70</a>	<a href="#">4</a>	<a href="#">2,329</a>	<a href="#">70</a>	<a href="#">4</a>	<a href="#">2,329</a>	<a href="#">70</a>	<a href="#">4</a>
<a href="#">Sweet Potatoes<sup>1</sup></a>	<a href="#">622</a>	<a href="#">13</a>	<a href="#">3</a>	<a href="#">622</a>	<a href="#">13</a>	<a href="#">3</a>	<a href="#">622</a>	<a href="#">13</a>	<a href="#">3</a>
<a href="#">Tomatoes<sup>1</sup></a>	<a href="#">706</a>	<a href="#">530</a>	<a href="#">7</a>	<a href="#">706</a>	<a href="#">530</a>	<a href="#">7</a>	<a href="#">706</a>	<a href="#">530</a>	<a href="#">7</a>
<a href="#">Watermelons<sup>2</sup></a>	<a href="#">23,000</a>	<a href="#">711</a>	<a href="#">6</a>	<a href="#">21,500</a>	<a href="#">664</a>	<a href="#">6</a>	<a href="#">19,000</a>	<a href="#">587</a>	<a href="#">6</a>
<b><a href="#">Total Acreage</a></b>	<b><a href="#">79,952</a></b>	<b><a href="#">15,506</a></b>	<b><a href="#">N/A</a></b>	<b><a href="#">56,852</a></b>	<b><a href="#">8,853</a></b>	<b><a href="#">N/A</a></b>	<b><a href="#">75,452</a></b>	<b><a href="#">15,135</a></b>	<b><a href="#">N/A</a></b>

[Source: National Agricultural Statistics Services, NASS/USDA](#)

<sup>1</sup> [Production acreage is based on production data from the previous year.](#)

<sup>2</sup> [Acreage is based on yearly yield per acre.](#)

[\(D\) Withheld to avoid disclosing data for individuals' operations](#)

~~<sup>1</sup> [Production acreage is based on production data from the previous year.](#)~~

~~<sup>2</sup> [Acreage is estimated based on the 2015 yield per acre.](#)~~

### **Projected Level of Agricultural Activity in Texas for the Coming Year**

As seen nationally, some areas that historically have had high concentrations of agricultural work have experienced industry reduction relative to other types of work, such as employment in the oil and gas, construction, and retail industries. With that industry reduction, there has been a shift in the labor market. While some workers and their families who have long performed agricultural work are now being employed in nonagricultural industries, other workers are struggling to identify transferable skills that will allow them to obtain nonagricultural jobs. A good example is the Eagle Ford Shale boom in the Winter Garden region (in South Texas, north of Laredo and southwest of San Antonio) and the Cline Shale in West Texas. Although employers in the oil and gas industry have a relatively large demand for qualified employees, they find few qualified applicants, in part because the local migrant and seasonal farm worker (MSFW) population lacks the relevant transferable skills and training. The industrial shift has created a challenge for agricultural employers as well. Texas is designated as an agricultural supply state, yet many agricultural employers will have fewer laborers to meet demand. With other employment options available that may be less physically taxing, and fewer immigration controls in place, more workers seek nonagricultural jobs. The state's major citrus growers' associations have said that the labor shortage is one of their most critical issues.

[In addition to the issues of labor moving to industries outside of agriculture, the ongoing COVID-19 pandemic has further decreased the number of farmworkers in Texas. Business disruptions and lockdowns diminished agricultural productivity throughout the course of the pandemic, resulting in fewer acres of planted products. Health concerns from workers to avoid](#)



exposure to the virus, as well as being at home to provide child care, also contributed to the shortage of farmworkers in the state.

Despite Texas being considered an agricultural supply state, the factors mentioned above continue to result in agricultural employers having fewer laborers to meet their needs. Major citrus growers' associations in Texas have said that labor shortages have been one of their most critical issues.

### **Projected Migrant and Seasonal Farm Workers (MSFW) in Texas**

According to data from the National Agricultural Statistics Service, USDA, and Texas A&M AgriLife Extension Service, TWC estimates that 289,600 MSFWs will be active in Texas in the coming year. Although it is possible that jobs may be lost because of natural disasters and other adverse events, the number of MSFWs that reside in Texas is anticipated to rise. Currently, there are more than 9,876 active agricultural employers in Texas, based on the North American Industry Classification System codes reported for each employer's UI tax accounts.

**Table 3**

<b>Agricultural Employers</b>	<b>PY'17<sup>2</sup></b>	<b>PY'18</b>
Number of Job Postings <sup>1</sup>	2,410	1,081
Number of Job Openings	14,309	6,325
Number of Job Openings Filled	2,604	853
Percentage of Job Openings Filled	18.1%	13.5%

<sup>1</sup>Number of job postings does not accurately reflect the number of employers because employers may file multiple postings within a year. Each posting may contain multiple job openings.

<sup>2</sup>PY'17 and PY'18 data represent the July 1 – June 30 period.

<b><u>Agricultural Employers</u></b>	<b><u>PY'19<sup>2</sup></u></b>	<b><u>PY'20<sup>3</sup></u></b>
<u>Number of Job Postings<sup>1</sup></u>	<u>1,047</u>	<u>1,307</u>
<u>Number of Job Openings</u>	<u>3,433</u>	<u>3,049</u>
<u>Number of Job Openings Filled</u>	<u>457</u>	<u>105</u>
<u>Percentage of Job Openings Filled</u>	<u>13.3</u>	<u>3.4</u>

<sup>1</sup>Number of job postings does not accurately reflect the number of employers because employers may file multiple postings within a year. Each posting may contain multiple job openings.

<sup>2</sup>PY'19 data represent the July 1, 2019–June 30, 2020 period.

<sup>3</sup>PY'20 data represent the July 1, 2020–June 30, 2021 period.



**Table 4**

<b>Agricultural Employers (H-2A Only)</b>	<b>PY'1720<sup>1</sup></b>	<b>PY'1821<sup>1</sup></b>
H-2A Job Orders Received	517739	524938
H-2A Job Orders Certified	408703	428827

<sup>1</sup>PY'1720 and PY'1821 data represents the October 1, 2019–September 30, 2020 period, and PY'21 represents the October 1, 2020–September 30, 2021 period. Data is from the [USDOL/OFLC Disclosure Data page](#).

Several economic, natural, or other factors affect agricultural production in Texas. [The COVID-19 pandemic has created uncertainty in production and the reliable need for labor, as well as a moderate increase of H-2A Job Orders certified. Moreover, according to PY'21 program statistics, Texas is now listed for the first time in the top 10 states for H-2A filings by number of workers certified.](#) The [following list below](#) does not assign these factors an order of importance, as more than one issue may exist at any time:

- [COVID-19 pandemic and the uncertainty of migration for reliable labor](#)
- [Increase of H-2A workers](#)
- [MSFWs chosen to seek employment locally due to fear of the ongoing pandemic and other matters related to family income, social economic issues, and other factors](#)
- [Lack of affordable housing and other risk factors in shared housing](#)
- [Ongoing fears of the COVID-19 pandemic and unvaccinated workers and families](#)
- The cost of fuel
- Secondary sources of income related to energy production
- Varied weather patterns. Dry years interspersed with wet years has a critical effect on agricultural production. Because of the size of Texas—268,820 square miles (171,891,725 acres)—weather varies dramatically by geography
- The amount of snowfall in midwestern states can have a negative effect on agricultural production in Texas in relation to the water allotment for irrigation methods along the Rio Grande River.
- Tax policy as it relates to succession from generation to generation. The high average age of farmers—58 years of age—is part of this issue.
- Environmental policies enforced by the Environmental Protection Agency and the Texas Commission on Environmental Quality
- The policy requirements for the agricultural industry established by the Food Safety Modernization Act
- Immigration law and enforcement, particularly as it affects the availability of labor for fruit and vegetable production, but also in other agricultural sectors
- Invasive species coming from other parts of the [US-United States](#) or from other countries, which can negatively affect the agricultural production
- The changing nature of US agriculture's domestic policy to a more crop-insurance-based program
- The conversion of agricultural land to developed land for housing and commercial uses

- Water availability affected by weather, the increased need for urban water, and issues related to the 1944 US-Mexico Water Treaty (“Treaty Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande”)
- Uncertainty of trade agreements with Mexico and the global economic impact of tariffs that affect agricultural imports and exports

### **Economic Impact of Imported Fresh Produce from Mexico**

Produce imports from Mexico are a major source of economic activity in the Lower Rio Grande Valley. The United States imported \$12.9 billion of produce and products from Mexico during 2017, including fresh, frozen, and processed fruits; vegetables; and nuts. About 98 percent of these imports entered the United States by land ports between Mexico and Texas, New Mexico, Arizona, and California. When considering only fresh fruits and vegetables, which comprise nearly 90 percent of the total, imports totaled \$11.7 billion.

Based upon a forecasting approach that includes ongoing trends and input from industry, it is estimated that US produce that is imported from Mexico via truck will increase nearly 35 percent, as shown below in Figure 1. Most of this growth will occur through Texas ports, with imports expected to grow in Texas by 44 percent. By 2025, it is projected that imports to Texas will account for slightly more than half of US produce imports from Mexico. This growth in imports has implications throughout the border economy, and for the Texas economy especially.

The prognosis of continued expected growth in US imports of fresh produce in general and especially in Texas is based on several factors. One important factor is that US interest rates are beginning to rise, causing the dollar to appreciate, which will spur even more imports. Another important factor is the expanded use of Mexican Federal Highway 40 between Mazatlán and Reynosa for shipments of produce. Further, an expanded infrastructure of trade-services providers in the Lower Rio Grande Valley area has been built to accommodate recent and expected increases in imports, illustrating industry’s belief that increased shipments through Texas are likely to continue.

### **Figure 1: Texas Agricultural Economics Forecast**

**<https://www.twc.texas.gov/files/partners/texas-agricultural-economics-forecast-twc.jpg>**

<http://cnas.tamu.edu/Index/Mexican%20FFV%20Imports%20through%20US%20Land%20Borders%202025%20March%202018.pdf>

#### **Estimated Economic Impact**

The economic impact of produce imports on agricultural and farmworker activity in the state is compelling. In 2017, direct economic activity attributed to the produce import industry was \$401.1 million, requiring an additional \$448.5 million in economic activity from supporting industries, resulting in a total economic impact of \$849.6 million. By 2025, this economic effect is expected to grow to \$577.5 million in direct activity and \$645.7 million in supporting activity for a total of \$1.2 billion in economic activity throughout the Texas economy. Truck transportation is anticipated to lead direct output at \$169.4 million, to be followed by warehousing (\$132.1 million); sorting, grading, and packing (\$123.6 million); customs brokering (\$91.5 million); and miscellaneous border services (\$61.0 million).

During 2017, 7,836 jobs were required across Texas to support import operations. Sorting, grading, and packing required 2,021 jobs; customs broker services, 1,069 jobs; warehousing, 1,028 jobs; truck transportation, 779 jobs; and miscellaneous border services, 347 jobs. Another

2,592 jobs were required in supporting sectors. By 2025, 11,281 jobs will be required throughout the Texas economy to support these imports. Sorting, grading, and packing will require 2,910 jobs, followed by customs broker services (1,538 jobs); warehousing (1,479 jobs); truck transportation (1,121 jobs); and miscellaneous border services (500 jobs). Another 6,643 jobs will be required in supporting sectors by 2025.

**Table 45.**

**Summary of Economic Activity from US Produce Imports from Mexico over Land Borders, 2017 and 2025 Forecast with Industry Input**

<b>Economic Activity Indicators</b>	<b>2017</b>	<b>2025 Forecast</b>
Total Truckloads	235,288	338,716
<b>Direct Economic Output</b>	<b>In Millions</b>	<b>In Millions</b>
Truck Transportation	\$11.76	\$169.4
Warehousing	\$91.8	\$132.1
Sorting, Grading and Packing	\$85.8	\$123.6
Customs Brokering	\$63.5	\$91.5
Miscellaneous Border Services	\$42.5	\$61.0
Total Direct Economic Output	\$401.1	\$577.5
Economic Activity Indicators	2017	2025F
Total Supporting Economic Output	\$448.5	\$645.7
Total Economic Output	\$849.6	\$1,223.2
Total Jobs Supporting Produce Imports	7,836	11,281

Source: Agricultural Marketing Service, USDA and Center for North American Studies, Department of Agricultural Economics, Texas A&M University/Texas A&M AgriLife Extension Service/Texas A&M AgriLife Research

3. AN ASSESSMENT OF THE UNIQUE NEEDS OF FARMWORKERS MEANS SUMMARIZING MIGRANT AND SEASONAL FARM WORKER (MSFW) CHARACTERISTICS (INCLUDING IF THEY ARE PREDOMINANTLY FROM CERTAIN COUNTRIES, WHAT LANGUAGE(S) THEY SPEAK, THE APPROXIMATE NUMBER OF MSFWS IN THE STATE DURING PEAK SEASON AND DURING LOW SEASON, AND WHETHER THEY TEND TO BE MIGRANT, SEASONAL, OR YEAR-ROUND FARMWORKERS). THIS INFORMATION MUST TAKE INTO ACCOUNT DATA SUPPLIED BY WIOA SECTION 167 NATIONAL FARMWORKER JOBS PROGRAM (NFJP) GRANTEES, OTHER MSFW ORGANIZATIONS, EMPLOYER ORGANIZATIONS, AND STATE AND/OR FEDERAL AGENCY DATA SOURCES SUCH AS THE U.S. DEPARTMENT OF AGRICULTURE AND THE U.S. DEPARTMENT OF LABOR (DOL) EMPLOYMENT AND TRAINING ADMINISTRATION

**MSFW Characteristics**

MSFWs are a unique and very important segment of society and of the US economy. The most recent statewide data from PY ~~2016~~, below, shows the approximate number of MSFWs by farmworker category:

Farmworkers	PY'1620 <sup>1</sup> Total Available for Service
Migrant	5,500897
Seasonal	3,5202,127
Year-round	4,5204,150
Total MSFWs	8,3442,783

Characteristics of MSFWs include the following:

- Education: The educational level among MSFWs tends to be low.
- Language: General lack of ability to speak and read English and sometimes lack of ability to read Spanish
- Economic Status: The income level of MSFWs frequently falls well below the poverty level.
- Certain parts of Texas tend to have a larger number of undocumented farmworkers.
- Uncertainty of MSFWs having a safe working environment regarding exposure of COVID-19 and low vaccination rates
- —
- Citizenship: Large percentages of MSFWs are citizens of Mexico or of a Central American country or are of Mexican or Central American ancestry.
- Other workers to include H-2A workers from Ukraine, Romania, Mennonites, South African, and other Central American countries that possess certain language dialects

Problems and issues facing MSFWs with barriers to employment include the following:

- The mobility of migratory workers, which often means that they do not remain in one location long enough to receive social services.
- Large number of farmworkers do not have medical insurance, making them extremely vulnerable to serious illnesses and COVID-19.
- Due to COVID-19 and the uncertainty of employment, workers are choosing not to migrate.
- Because of the unpredictability of inclement weather, workers are sometimes displaced and liable to lose income. One example of this would be the February 2021 freeze.
- — Due to the uncertainty of foreign H-2A workers and legal permanent residents, effective January 22, 2022, US citizens from Mexico must show proof of vaccination through all land border entries.

Most MSFWs have limited English proficiency; therefore, they are unable to communicate effectively with social services counselors and other individuals involved in delivering much-needed services.

- The limited vocational skills of many MSFWs
- Public transportation is not available in most rural communities

- Limited access to medical services, including available medical services during off-work hours (agricultural-seasonal cycle), ~~and~~ limited access to medical coverage, and adequate access to COVID-19 vaccine and testing

Board staff and Workforce Solutions Office staff are developing and sharing strategies to meet the following needs:

- Low skills in education/literacy/computers—Workforce Solutions Office staff is trained to identify signs and behaviors that indicate a job seeker with education, literacy, and language barriers. Staff provides one-on-one assistance to those needing individual service.
- Providing resources, COVID-19 pandemic information, social distancing, and other CDC guidelines and workforce solutions training programs and services.
- Workers lack transportation to the work sites—Board and Workforce Solutions Office staffs work with local community- and faith-based organizations and other entities to provide temporary transportation services during peak production seasons.
- Child care for field workers—Workforce Solutions Office staff works with local community- and faith-based organizations and other entities to provide temporary child care during peak production seasons.
- Limited knowledge of social and workforce services—Workforce Solutions Office staff shares information with MSFWs regarding the public services of various entities in the local community.
- Lack of trust in government/social service agencies and changes in local service delivery systems—Social service organizations sponsor fairs where Workforce Solutions Office staff provides information regarding local services available to farmworkers and their families. Fairs include attractions such as entertainment, door prizes, and refreshments donated by participating and sponsoring entities. Other sponsored events include employer job fairs, all of which encourage trust and social capital between MSFWs and outreach staff.

Other resources for overcoming employment barriers are as follows:

- Spanish-language brochures covering the range of services available are provided by Workforce Solutions Offices designated as MSFW significant and bilingual offices. Highlighted services include adult education and literacy programs, which provide English language, math, reading, and writing instruction designed to help individuals succeed in the workplace, earn a high school equivalency diploma, and/or enter postsecondary education or career training.
- Workforce Border Alliance—Boards throughout the Texas border region collaborate with each other to overcome MSFW literacy and language barriers. This collaboration has resulted in creative and effective progress toward meeting the employment and public assistance needs of MSFWs.
- Regional Community Partnership Network Groups—MSFW significant and monolingual Workforce Solutions Offices plan to establish community network groups to strengthen the community resources available to MSFWs, including working with our National Farmworker Jobs Grantee (NFJP) MET, Inc.
- Community partnerships—Board and Workforce Solutions Office staff simultaneously

engage in developing partnerships with educational, housing, and support services, and other community assistance.

- Access to computer information and long-distance telephone services—Boards provide computers in public locations (usually county courthouses or libraries) and encourage community- and faith-based organizations to refer farmworkers to these resources. MSFWs can also call Workforce Solutions Offices toll-free to inquire about or access services.
- Electronic service resources—Boards provide up-to-date information to agribusiness, rural areas, and colonias through online systems such as TWC’s website and WorkInTexas.com. These systems ensure easy access to information and user-friendly data and allow communication through public access automation points.

#### 4. OUTREACH ACTIVITIES

The local offices outreach activities must be designed to meet the needs of MSFWs in the State and to locate and contact MSFWs who are not being reached through normal intake activities. Describe the State agency’s proposed strategies for:

See e.4.A.

##### A. CONTACTING FARMWORKERS WHO ARE NOT BEING REACHED BY THE NORMAL INTAKE ACTIVITIES CONDUCTED BY THE EMPLOYMENT SERVICE OFFICES

###### **Outreach Activities**

Due to the COVID-19 pandemic, outreach activities continue through means necessary, whether in person or virtually. If or when MSFWs are unable to go to the Workforce Solutions Offices, the MSFW outreach program takes the full range of employment services directly to MSFWs where they live and work. The MSFW outreach program provides the framework necessary for Workforce Solutions Office staff to locate, contact, and enhance the employability of MSFWs in Texas. Outreach specialists may provide other assistance at the point of contact or at the Workforce Solutions Office. If needed services are not available through the Workforce Solutions Office, outreach specialists then make referrals to other agencies and organizations that provide appropriate assistance.

TWC and Workforce Solutions Offices’ goals are to ensure that MSFWs are offered employment and training referral services, benefits, and protections, including counseling, testing and job training referral services that are qualitatively equivalent and proportionate to services provided to non-MSFWs. Outreach specialists help with work registration and job leads, information about the complaint system, and the submission of complaints and referrals for support services. Outreach specialists in certain Workforce Solutions Offices have iPads and laptops and thus are equipped to provide live job searches and job posting referrals.

Year-round outreach activities are conducted in MSFW-significant Workforce Solutions Offices. Workforce Solutions Office staff that is responsible for outreach gains familiarity with the labor market and needs of local MSFWs. To be most effective, outreach specialists must understand the issues unique to MSFWs and be able to speak English and Spanish.

Outreach specialists are responsible for the following preliminary referral to employment and training, post-COVID information, state and federal agency information, community resources, job-placement functions:

- Contact MSFWs to explain the services available at Workforce Solutions Offices

- Solicit jobs, training opportunities, and employment-related services for MSFWs
- Notify MSFWs of job openings and of their rights and benefits under state and federal employment-related laws.
- Provide information on the [eEmployment sService and Employment-Related Law eComplaint sSystem](#), including [sexual harassment and human trafficking](#)
- Assist MSFWs in filing work registrations, completing applications, preparing worker complaints, and arranging appointments and transportation
- [Provide information in TEGL 5-20, US DOL guidance, regarding CDC guidelines and other related materials regarding COVID-19 pandemic resources for outreach materials to share with MSFWs and employers](#)
- [National Center Farmworker Health Information regarding COVID-19 facts and materials and other related information.](#)
- 
- Provide information about services available through electronic means and how to access this information;
- Identify qualified MSFWs seeking employment, according to guidelines of the federal regulations at 20 CFR Parts 651, 653, and 658. The initial and follow-up outreach contacts are made to assist MSFWs in becoming employed or improving their employability;

Outreach specialists also perform the following partnership activities:

- Contact agricultural and nonagricultural employers, program operators, community- and faith-based organizations, and education and training providers on behalf of MSFWs
- 
- [Attended virtual agricultural employer and other similar trainings conducted by DOL's Wage & Hour Division in several areas of the state](#)
- Present [information to school students about migrant education programs in the state either virtually or in person](#)
- Outreach, [virtually or in person](#), to local public and private community agencies and MSFW organizations to establish community referral networks
- Provide advocacy group presentations [in person or virtually](#)
- Coordinate with other office partners in serving MSFWs
- Distribute MSFW-assistance brochures, [including the farmworker rights brochure](#)
- Perform joint outreach and recruitment missions with National Farmworker Jobs Program (NFJP). [Motivation, Education and Training \(MET, Inc.\)](#)
- Attend staff training [virtually or in person](#) conducted by the US Equal Employment Opportunity Commission and DOLETA, Wage and Hour Division
- Present and participate in meetings at the Texas A&M University, Colonias Program Center for Housing and Urban Development Community Centers (this includes the Promotora program)



Outreach specialists perform the following job placement activities:

- Provide agricultural and nonagricultural employers with information, services, and assistance related to labor issues and needs
- Accept job postings while performing outreach activities in the field or virtually
- Refer MSFWs to the nearest Workforce Solutions Office and one-stop centers to receive services
- Refer qualified MSFWs from the MSFW Outreach Log and from previous contacts through follow-up activities, when there is a job or jobs available for referral or any other follow-up activity needed
- Select qualified MSFWs from the MSFW Outreach Log and offer a job development plan to enhance the MSFWs' applications with additional and/or transferable occupational skills, and matching options for nonagricultural jobs, when there are no job openings available for referral of MSFWs to suitable employment

B. PROVIDING TECHNICAL ASSISTANCE TO OUTREACH STAFF. TECHNICAL ASSISTANCE MUST INCLUDE TRAININGS, CONFERENCES, ADDITIONAL RESOURCES, AND INCREASED COLLABORATION WITH OTHER ORGANIZATIONS ON TOPICS SUCH AS ONE-STOP CENTER SERVICES (I.E. AVAILABILITY OF REFERRALS TO TRAINING, SUPPORTIVE SERVICES, AND CAREER SERVICES, AS WELL AS SPECIFIC EMPLOYMENT OPPORTUNITIES), THE EMPLOYMENT SERVICE AND EMPLOYMENT-RELATED LAW COMPLAINT SYSTEM ("COMPLAINT SYSTEM" DESCRIBED AT 20 CFR 658 SUBPART E), INFORMATION ON THE OTHER ORGANIZATIONS SERVING MSFWs IN THE AREA, AND A BASIC SUMMARY OF FARMWORKER RIGHTS, INCLUDING THEIR RIGHTS WITH RESPECT TO THE TERMS AND CONDITIONS OF EMPLOYMENT.

To ensure that Outreach staff and Workforce Solutions Office staff receive technical assistance and professional development to improve services to MSFWs, training and technical assistance is provided and includes the following areas:

- MSFW equity performance indicators—proper identification and coding of MSFW customers
- Setting up local benchmark or baseline targets for Equity Indicators and Minimum Service Levels
- Technical Assistance on the new MSFW regulations, participants enrolled under the Wagner-Peyser Act, MSFW accountability performance measures, and recommendations for related enhancements to services, including career pathways
- Strategies in strengthening collaboration with Workforce Solutions partners
- Workforce Solutions Office coordination and intake procedures
- Data collection requirements for reportable ES services, Equity Ratio Indicators, and accountability measures
- MSFW carryover applicants (WorkInTexas.com active file) and the impact on Equity performance measures
- Annual staff training conducted by the US Equal Employment Opportunity Commission,

Office of the Attorney General, Human Trafficking section; by Texas Rio Grande Legal Aid, Inc., which provides legal services to farmworkers; and by DOLETA Wage and Hour Division, [US Department of Justice. Immigrant/Employee Rights section](#)

- [Provide continual statewide in-person or virtual WIT Web Based Training on MSFW enrollments and entering participant services conducted by TWC's Workforce Automation staff or Monitor Advocate.](#)
- [Attend virtual migrant coalition and service-provider meetings throughout the state](#)
- [Provide virtual TA and Training to Business Services Unit \(BSU\) representatives and key staff on services to agricultural employers as outlined in the WIOA/AOP with emphasis on the supply and demand areas of the state \(ARS\)](#)
- [Annual training on the Employment Service and Employment-Related Law Complaint System](#)
- Agricultural employer seminars throughout the local workforce development areas
- Yearly staff training conducted by the State Monitor Advocate (SMA)
- Employment Service Guide, which includes provisions pertinent to MSFW in general and specifically to the National Job Registry for H-2A Temporary Agricultural Job Posting requirements
- Migrant and Seasonal Farmworker Program: Service Delivery, Outreach and Reporting
- Complaint procedures related to MSFWs to include informal resolution
- Program integration strategies for MSFW
- Agricultural Recruitment System procedures and consequences
- Establishing local community partnerships (for example, bringing community groups together, formalizing the traditional migrant subcommittee groups, and forming coalition meeting groups)
- Identifying opportunities to coenroll and integrate program design with Motivation Education and Training, Inc. (MET), WIOA §167, and National Farm Worker Jobs Program Grantee with other center services
- TWC efforts to develop local, regional, and state planning strategies in the agricultural industry with emphasis on supply and demand areas of the state for workers
- Coordinate agricultural business forums. The intended focus of these forums would be relative to pertinent issues that affect both agricultural employers and workers to include laws that affect the agricultural industry sector.
- Coordinate a pre-harvest forum for MSFWs through the migrant education, workforce, community, and farmworker organizations
- Facilitate and coordinate the engagement of the agricultural industry into the workforce investment system, assist in the creation of jobs within the agricultural industry (permanent year-round) and determine the viable need for a skilled workforce to increase wage gain earners
- Develop strategies to increase opportunities for the MSFW summer youth program to implement goals and objectives that include a tracking system, coenrollment, and

coordination with MET's youth program

### C. INCREASING OUTREACH WORKER TRAINING AND AWARENESS ACROSS CORE PROGRAMS INCLUDING THE UNEMPLOYMENT INSURANCE (UI) PROGRAM AND THE TRAINING ON IDENTIFICATION OF UI ELIGIBILITY ISSUES

The Texas workforce system supports the delivery of core services within local communities to assist individuals who need education and training to obtain the basic skills that will enable them to find sustained employment and become self-sufficient. Workforce Solutions Office staff receives professional development to ensure that each staff member knows about core programs whose purpose is to provide high-quality services to both job seekers and employers. This includes core programs such as UI assistance for MSFWs returning from other parts of Texas or the nation.

### D. PROVIDING STATE MERIT STAFF OUTREACH WORKERS PROFESSIONAL DEVELOPMENT ACTIVITIES TO ENSURE THEY ARE ABLE TO PROVIDE HIGH QUALITY SERVICES TO BOTH JOBSEEKERS AND EMPLOYERS

To ensure that Board and Workforce Solutions Office outreach staffs receive technical assistance and professional development to improve services to MSFWs, training and technical assistance is provided virtually or in person to include the following areas:

- MSFW equity performance indicators—proper identification and coding of MSFW customers under the Wagner-Peyser Act program
- Establishing local benchmark or baseline targets for Equity Indicators and Minimum Service Levels performance measures
- Strategies for strengthening collaboration with Texas Workforce Solutions partners and other organizations serving MSFWs in the area
- Summary of farmworker rights; OSHA's Water, Rest, and Shade initiatives; migrant education programs; and other support service programs throughout Texas and the nation
- Workforce Solutions Office coordination and intake procedures
- MSFW carryover applicants (active file in WorkInTexas.com) and the impact on Equity performance measures
- MSFW Program: service delivery, outreach, and reporting
- WD Letter 41-10, National Electronic Job Registry for H-2A Temporary Agricultural Job Posting
- Complaint procedures related to MSFWs to include informal resolution
- Program integration strategies for MSFWs
- Agricultural Recruitment System (ARS) procedures and consequences
- Establishing community partnerships (for example, bringing community groups together to formalize the traditional migrant subcommittee groups and coalition meeting groups)
- Identifying opportunities to coenroll and integrate program design with MET,

Workforce Innovation and Opportunity Act (WIOA) §167, NFJP grantee with other Workforce Solutions Office services

- Initiatives to develop local, regional, and state planning strategies for workers in the agricultural industry, with emphasis on supply and demand areas of the state
- Coordinate agricultural business forums and compliance seminars. The intent of these forums would relate to pertinent issues that affect agricultural employers and workers, including laws that affect the agricultural industry sector.
- Texas workforce system and MET participation in joint outreach and recruitment efforts designed to identify additional clients and immediately expand the range of available services for MSFWs
- Coordinate a preharvest forum for MSFWs through the migrant education, workforce, community, and farmworker organizations
- Facilitate and coordinate the engagement of the agricultural industry into the workforce investment system, assist in the creation of jobs within the agricultural industry (permanent year-round), and determine the need for a skilled workforce to increase wage gain earners
- Develop strategies to increase opportunities for the MSFW summer youth program to implement goals and objectives that include a tracking system, coenrollment, and coordination with MET's youth program

#### E. COORDINATING OUTREACH EFFORTS WITH NFJP GRANTEES AS WELL AS WITH PUBLIC AND PRIVATE COMMUNITY SERVICE AGENCIES AND MSFW GROUPS

##### **The State's Strategy**

TWC will continue to coordinate efforts with the US Department of Labor's National Farmworker Jobs Program (NFJP) grantees and other agencies and groups.

TWC entered a statewide memorandum of understanding (MOU) with the NFJP grantee in Texas, MET, Inc., effective January 31, 2014, which has been extended through February 28, 2023. As the DOLETA designated grantee, MET operates NFJP in Texas. This MOU assists in establishing and demonstrating effective outreach coordination coupled with increasing registration activities by MET staff and ES staff. TWC and MET are revising the MOU to reflect WIOA language and support and improve coordination, joint outreach responsibilities, core programs, and performance accountability measures.

TWC and the NFJP grantee in Texas maintain an effective working relationship by coordinating outreach efforts with Boards and community service providers.

Referral and placement of the MSFW customer remains a challenge for states' workforce system. The capacity to share responsibility for this constituency and efficiently coordinate available resources can leverage local areas' mutual effectiveness as well as improve the customer service experience. Texas encourages coenrollment of MSFW customers in services provided by TWC, Boards, and the NFJP grantee in Texas. The SMA examines coenrollment activity during an annual review of each MSFW-significant Workforce Solutions Office.

The advantages of TWC's statewide MOU with the NFJP grantee in Texas include the following:

- A streamlined information exchange process, which improves the currency and accuracy of shared information

- Coordinated activity among organizations, including immediate services
- Planned participation in joint outreach and recruitment efforts designed to increase customer identification and expand services for MSFWs
- Increased staff awareness about emerging issues within the MSFW community
- A vehicle for periodic review and assessment of the quality of services

TWC and the Workforce Solutions network continue to increase coenrollments with its NFJP partner. This collaborative effort has help to expand the opportunities available for MSFW customers.

TWC's SMA meets quarterly virtually or in person with the NFJP grantee in Texas to discuss improving the coordination and administration of the employment and training services offered to MSFWs. Additionally, the SMA meets regularly with the local MET Regional Coordinators and staff during the MSFW monitoring reviews at the local level to discuss new and improved shared responsibility.

This streamlined approach allows new and improved client programs to receive immediate intervention and fully integrate all programs with the Boards and contract managers. It also allows TWC to:

- provide Board oversight to fully implement WIOA-required changes with our NFJP partner; and
- provide technical assistance and training on the Employment Service and Employment-Related Law Complaint System to local Workforce Solutions Office staff.

### **Outreach Plan for MSFW in Texas**

Outreach efforts to the MSFW population will be coordinated between TWC outreach staff and the state's NFJP grantee staff to the fullest extent possible. Coordination efforts will include, but are not limited to, providing required information on the partner's programs and/or services during outreach, conducting joint outreach, and reporting outreach activities and contact to the other party. Outreach plans will be shared and compared to identify efforts that could be combined and to identify areas where outreach and/or service delivery is inadequate.

Strategies will be developed to ensure that service delivery collaboration exists for MSFWs in areas where no TWC MSFW outreach staff members are present. This may include the use of technology and other outreach protocols, as well as collaborative partnerships with other state, regional, or local social service agencies.

The state's NFJP grantee responsibilities are as follows:

- Encourage direct service providers throughout the state to enter into a WIOA-based MOU with the local Workforce Solutions Office. These MOUs should describe the specific types and levels of shared responsibilities, participant processes, and joint outreach and case management strategies.
- Ensure that all NFJP participants are registered in WorkInTexas.com and, when needed, registered in The Workforce Information System of Texas (TWIST) for reporting purposes as needed for their career development.
- Work with the TWC MSFW outreach staff in the development of joint outreach strategies, coordination of participant data files, and coenrollment processes; the conduct of joint WIOA-related professional development for NFJP partner and TWC

outreach staff; and the exploration of ways to better serve out-of-school MSFW youth.

- Ensure that data for federal reporting is shared in a timely fashion.

## 5. SERVICES PROVIDED TO FARMWORKERS AND AGRICULTURAL EMPLOYERS THROUGH THE ONE-STOP DELIVERY SYSTEM

Describe the State agency's proposed strategies for:

A. PROVIDING THE FULL RANGE OF EMPLOYMENT AND TRAINING SERVICES TO THE AGRICULTURAL COMMUNITY, BOTH FARMWORKERS AND AGRICULTURAL EMPLOYERS, THROUGH THE ONE-STOP DELIVERY SYSTEM. THIS INCLUDES:

I. HOW CAREER AND TRAINING SERVICES REQUIRED UNDER WIOA TITLE I WILL BE PROVIDED TO MSFWS THROUGH THE ONE-STOP CENTERS

II. HOW THE STATE SERVES AGRICULTURAL EMPLOYERS AND HOW IT INTENDS TO IMPROVE SUCH SERVICES

### Services for Farmworkers and Agricultural Employers

To meet agricultural employers' needs, Texas Workforce Solutions outreach staff will continue to improve the agricultural referral process by performing the tasks in person or virtually, that include, but are not limited to, the following:

- Integrating services for farmworkers and agricultural employers and workers
- Identifying workers who are job-ready when arriving at the work site
- Providing employers with industry information, farmworkers' rights, and support services
- Engaging agricultural employers to determine short- and long-term employment and training needs
- Serving agricultural employers by creating local and regional economic employment opportunities for MSFWs
- Developing strategies to:
  - facilitate and coordinate the engagement of the agricultural industry into the workforce investment system;
  - assist in the creation of jobs within the agricultural industry (permanent year-round); and
  - determine the viable need for a skilled workforce to increase wage gain earners
- Assisting-Helping employers in-analyzing state and local peak production seasons and recruiting an adequate labor supply
- Promoting the usage of the ARS with Boards' demand and areas with boards with supply areas, as well as encouraging within state-to-state coordination
- Collaborating and coordinating with the Texas Department of Agriculture, Rural Development, to increase viability and sustainability in agricultural areas of state

TWC has created communication resources to support Texas Workforce Solutions partners in providing meaningful service to agricultural employers and farmworkers. These

communication resources are intended to help find solutions to their employment and training needs. TWC provides these resources by means of the following:

- Electronic service
- Media and printed information
- Organizational coordination

Additionally, TWC's Foreign Labor Certification (FLC) unit, Office of the Monitor Advocate (MA) and Boards partner with agricultural associations to provide educational seminars for employers and to distribute information on various employment topics. TWC may assist in locating resources and speakers for these educational events.

Additionally, FLC also updates and publishes the Texas Directory of Farm and Ranch Associations. This publication lists contact information for state organizations with agricultural business interests. This directory and other resources are included on TWC's Agricultural Services web page,<sup>[1]</sup> which links to numerous agriculture-related reports.

Agricultural employer and farmworker services are based on each Board's service delivery plan. Each plan details the programs that the Board provides through the Workforce Solutions Offices under its direction. Additionally, Boards have established Business Services Units (BSUs) to reach out to employers. The goal of BSUs is to understand the needs of their business communities, including agricultural employers, by collaborating with MSFW outreach workers, community partners, chambers of commerce, and industry associations.

BSUs are charged with helping businesses recruit qualified farmworkers and helping job seekers find employment suited to their skills. The Boards address the following issues:

- Lack of transportation to work sites—Board and Workforce Solutions Office staffs work with community- and faith-based organizations and other entities to provide temporary transportation services during peak agricultural seasons.
- Limited knowledge of state and federal employment laws and regulations—Workforce Solutions Office staff hosts forums to educate employers and agricultural crew leaders on state and federal laws and regulations.
- Lack of efficient use of local human resources—Workforce Solutions Office staff facilitates communication between growers, such as cooperatives, about farmworkers' specific needs. One resource is the AgriLife county extension agent.
- Lack of skilled workers—Workforce Solutions Office staff coordinates short-term training on local crops and farming (for example, forklift certification, food safety, and how to obtain a commercial driver's license (CDL)).
- Lack of facilities and/or staff to screen and interview potential farmworkers—Workforce Solutions Office staff provides space in the Workforce Solutions Office for agricultural employers to interview workers. Workforce Solutions Office staff also provides intake and referral activities at the growers' locations.
- Limited administration of farm labor contractors—Workforce Solutions Office staff provides forms and instructions for completing crew leader registration, ensures that farm labor contractors' registration cards are current, and maintains crew leader logs in the offices.
- Limited or inadequate housing—The Agricultural Recruitment System (ARS) requires



employers to provide no-cost housing to workers who cannot reasonably return to their place of residence after work each day. This is one of the challenges employers face when using ARS, especially in providing housing options suitable for families. TWC participates in MET's Regional Farmworker Housing Summit. (MET is the housing grant coordinator for the NFJP grantee under the WIOA §167 housing grant for Texas.) This regional summit illustrates the valuable collaboration undertaken with housing authority municipalities and nonprofits throughout Texas.

[1] <https://twc.texas.gov/businesses/agricultural-services>

## B. MARKETING THE EMPLOYMENT SERVICE COMPLAINT SYSTEM TO FARMWORKERS AND OTHER FARMWORKER ADVOCACY GROUPS

TWC partners with agricultural associations to provide educational seminars for employers and distributes information on various employment topics, such as the ES and Employment-Related Law Complaint System. TWC may assist in locating resources and speakers for these educational events. Through these seminars and other interactions with agricultural employers, TWC strives to expand and improve services.

In collaboration with other TWC areas, these special units are a resource to help Boards implement strategies that increase coordination among federal and state agencies and private organizations. FLC and MA continue their efforts to encourage the use of the Agricultural Recruitment System (ARS) to link employers that need agricultural labor in Texas with the areas of the state that can potentially supply MSFWs. TWC continues to encourage Boards to think of new and innovative ways to serve agricultural employers and engage communities in rural development.

Workforce Solutions Offices and the Office of the Monitor Advocate continue to market the ES and Employment-Related Law Complaint System at community-agency partnership meetings in areas of Texas that have significant MSFW populations, at training sessions and conferences conducted by the Human Trafficking Task Force, and at meetings and training sessions held by legal advocacy, state, and federal agencies, and community- and faith-based organizations.

Outreach specialists assist with work registration and job leads and ensure that information about the ES and Employment-Related Law Complaint System, farmworker rights brochure, and submitting complaints and referrals for support services is available. Outreach specialists in certain Workforce Solutions Offices have iPads and laptops and thus are equipped to provide live job searches and job posting referrals.

Year-round outreach activities are conducted in MSFW-significant Workforce Solutions Offices. Workforce Solutions Office staff responsible for outreach maintains familiarity with the labor market information and the needs of local MSFWs. To serve this population effectively, outreach specialists must understand the issues unique to MSFWs and be able to speak English and Spanish.

Outreach specialists:

- contact MSFWs to explain the services available at Workforce Solutions Offices;
- notify MSFWs of job openings and of their rights and benefits under state and federal employment-related laws
- provide information on the ES and Employment-Related Law Complaint System, including sexual harassment;
- assist MSFWs in filing work registrations and applications, preparing worker

complaints, and arranging appointments and transportation;

- provide information about services available through electronic means and how to access this information;
- identify qualified MSFWs seeking employment, according to guidelines of the federal regulations at 20 CFR Parts 651, 653, and 658 (The initial and follow-up outreach contacts are made to assist MSFWs in becoming employed or improving their employability.);
- contact agricultural and nonagricultural employers, program operators, community- and faith-based organizations, and education and training providers on behalf of MSFWs;
- present information to students about migrant education programs in the state;
- outreach with local public and private community agencies and MSFW organizations to establish community referral networks;
- provide advocacy group presentations;
- coordinate with other office partners in serving MSFWs;
- distribute MSFW-assistance brochures;
- perform joint outreach and recruitment missions with National Farmworker Jobs Program (NFJP);
- attend staff training conducted by US Equal Employment Opportunity Commission and DOLETA, Wage and Hour Division;
- present and participate in meetings with the Texas A&M University's Colonias Program and Center for Housing and Urban Development, which includes the Promotora program;
- solicit jobs, training opportunities, and employment-related services for MSFWs;
- provide agricultural and nonagricultural employers with information, services, and assistance related to labor issues and needs;
- accept job postings while performing outreach activities in the field;
- refer MSFWs to the nearest Workforce Solutions Office to receive services;
- refer qualified MSFWs from the MSFW Outreach Log and from previous contacts through follow-up activities, when there is a job or jobs available for referral; and
- when there are no job openings available for referral of MSFWs to suitable employment, select qualified MSFWs from the MSFW Outreach Log and offer a job development plan to enhance the MSFWs' applications with additional and/or transferable occupational skills as well as matching options for nonagricultural jobs.

To meet agricultural employers' needs, Texas Workforce Solutions will continue to improve the agricultural referral process, including, but not limited to:

- integrating services for farmworkers and agricultural employers and workers;
- identifying workers who are job-ready when arriving at the work site;

- providing employers with industry information, farmworkers' rights, and support services;
- engaging agricultural employers to determine short- and long-term employment and training needs;
- assisting employers in analyzing state and local peak production seasons and recruiting an adequate labor supply;
- collaborating and coordinating with the Texas Department of Agriculture, Rural Development, to increase viability and sustainability in agricultural areas of the state; and
- using the job-matching process for temporary agricultural work on an intrastate and/or interstate basis through ARS.\*

\*Texas is primarily a labor supply state for ARS.

TWC has created a variety of communication resources to support Texas Workforce Solutions partners in providing meaningful service to agricultural employers and farmworkers. These communication resources are intended to help find solutions to their employment and training needs. TWC provides these resources by means of the following:

- Electronic service
- Media and printed information
- Organizational coordination

Additionally, TWC partners with agricultural associations to provide educational seminars for employers. FLC and/or the SMA distributes information on various employment topics such as the Employment Service and Employment-Related Law Complaint System. TWC may assist in locating resources and speakers for these educational events. Through these seminars and other interactions with agricultural employers, TWC strives to expand and improve FLC and/or SMA services.

FLC also updates and publishes the *Texas Directory of Farm and Ranch Associations*. This publication lists contact information for state organizations with agricultural business interests.

This and other resources are available on TWC Agricultural Services web page, which links to numerous agriculture-related reports.[1]

Agricultural employer and farmworker services are based on each Board's service delivery plan. The plan details programs that the Board provides through Workforce Solutions Offices under its direction. Additionally, Boards have established BSUs to reach out to employers. BSUs strive to understand the needs of their business communities, including agricultural employers, by collaborating with MSFW outreach workers, community partners, chambers of commerce, and industry associations.

BSUs are charged with helping businesses recruit qualified farmworkers and helping job seekers gain employment suited to their skills. The Boards address the following issues:

- Lack of transportation to worksites—Board staff and Workforce Solutions Office staff work with community- and faith-based organizations and other entities to provide temporary transportation services during peak agricultural seasons.
- Limited knowledge of state and federal employment laws and regulations—Workforce Solutions Office staff hosts forums to educate employers and agricultural crew leaders

on state/federal laws and regulations.

- Lack of efficient use of local human resources—Workforce Solutions Office staff facilitates communication among growers, such as cooperatives, on farmworkers' specific needs. One resource is the AgriLife County Extension Agent.
- Lack of skilled workers—Workforce Solutions Office staff coordinates short-term training on local crops and farming (for example, forklift certification, food safety, and CDL).
- Lack of facilities and/or staff to screen and interview potential farmworkers—Workforce Solutions Office staff provides space in the Workforce Solutions Office for agricultural employers to interview workers. Workforce Solutions Office staff also provides intake and referral activities at the growers' locations.
- Limited administration of farm labor contractors—Workforce Solutions Office staff provides forms and instructions for completing crew leader registration, ensures that farm labor contractors' registration cards are current, and maintains crew leader logs in the Workforce Solutions Offices.
- Limited or inadequate housing—ARS requires employers to provide no-cost housing to workers who cannot reasonably return to their place of residence after work each day. This is one of the challenges employers face when using ARS, especially in providing housing options suitable for families. TWC participates in MET's Regional Farmworker Housing Summit. (MET is the housing grant coordinator for the NFJP grantee under the WIOA §167 housing grant for Texas.) This regional summit illustrates the valuable collaboration undertaken with housing authority municipalities and nonprofits throughout Texas.

MSFWs in Texas often face poverty, low academic achievement, limited English proficiency, and inadequate job training and readiness, as well as various social problems. The Texas workforce system's approach focuses on those barriers to acquire and retain productive employment. To this end, Workforce Solutions Offices reaffirm existing community partnerships and continuously establish new community partnerships to meet the needs of local businesses and MSFWs, while providing job seekers with job search workshops, job placement services, referrals, and support services.

[1] <https://twc.texas.gov/businesses/agricultural-services>

### C. MARKETING THE AGRICULTURAL RECRUITMENT SYSTEM FOR U.S. WORKERS (ARS) TO AGRICULTURAL EMPLOYERS AND HOW IT INTENDS TO IMPROVE SUCH PUBLICITY.

To meet agricultural employers' needs, Texas Workforce Solutions ~~outreach staff via virtual or in person~~ will continue to improve the agricultural referral process by performing activities in person or virtually, that include, but are not limited to:

- integrating services for farmworkers and agricultural employers and workers;
- identifying workers who are job-ready when arriving at the worksite;
- providing employers with industry information, guidance on farmworkers' rights, and support services;
- engaging agricultural employers to determine short- and long-term employment and training needs;

- assisting employers in analyzing state and local peak production seasons and recruiting an adequate labor supply;
- collaborating and coordinating with the Texas Department of Agriculture, Rural Development, to increase viability and sustainability in agricultural areas of the state; and
- using the job-matching process for temporary agricultural work on an intrastate and/or interstate basis through ARS.\*

\*Texas is primarily a labor supply state for ARS.

TWC has created a variety of communication resources to support Texas Workforce Solutions partners in providing meaningful service to agricultural employers and farmworkers. These communication resources are intended to help find solutions to their employment and training needs. TWC provides these resources by means of the following:

- Electronic service
- Media and printed information
- Organizational coordination

Additionally, TWC works with agricultural associations to provide educational seminars for employers. FLC and/or the SMA distributes information on various employment topics such as the ES and Employment-Related Law Complaint System. TWC may assist in locating resources and speakers for these educational events. Through these seminars and other interactions with agricultural employers, TWC strives to expand and improve FLC and/or SMA services.

FLC also updates and publishes the *Texas Directory of Farm and Ranch Associations*. This publication lists contact information for state organizations with agricultural business interests.

This and other resources are available on TWC's Agricultural Services web page, which links to numerous agriculture-related reports.[1]

Agricultural employer and farmworker services are based on each Board's service delivery plan. The plan details programs that the Board provides through Workforce Solutions Offices under its direction. Additionally, Boards have established BSUs to reach out to employers. BSUs strive to understand the needs of their business communities, including agricultural employers, by collaborating with MSFW outreach workers, community partners, chambers of commerce, and industry associations.

BSUs are charged with helping businesses recruit qualified farmworkers and helping job seekers gain employment suited to their skills. The Boards address the following issues:

- Lack of transportation to worksites—Board staff and Workforce Solutions Office staff work with community- and faith-based organizations and other entities to provide temporary transportation services during peak agricultural seasons.
- Limited knowledge of state and federal employment laws and regulations—Workforce Solutions Office staff hosts forums to educate employers and agricultural crew leaders on state and federal laws and regulations.
- Lack of efficient use of local human resources—Workforce Solutions Office staff facilitates communication among growers, such as cooperatives, on farmworkers' specific needs. One resource is the AgriLife County Extension Agent.

- Lack of skilled workers—Workforce Solutions Office staff coordinates short-term training on local crops and farming (for example, forklift certification, food safety, and CDL).
- Lack of facilities and/or staff to screen and interview potential farmworkers—Workforce Solutions Office staff provides space in the Workforce Solutions Office for agricultural employers to interview workers. Workforce Solutions Office staff also provides intake and referral activities at the growers' locations.
- Limited administration of farm labor contractors—Workforce Solutions Office staff provides forms and instructions for completing crew leader registration, ensures that farm labor contractors' registration cards are current, and maintains crew leader logs in the Workforce Solutions Offices.
- Limited or inadequate housing—ARS requires employers to provide no-cost housing to workers who cannot reasonably return to their place of residence after work each day. This is one of the challenges employers face when using ARS, especially in providing housing options suitable for families. TWC participates in MET's Regional Farmworker Housing Summit. (MET is the housing grant coordinator for the NFJP grantee under the WIOA §167 housing grant for Texas.) This regional summit illustrates the valuable collaboration undertaken with housing authority municipalities and nonprofits throughout Texas.

Boards receive assistance from TWC in implementing strategies that address these issues through coordination among federal and state agencies and private organizations. TWC's efforts encourage the use of ARS to link employers needing agricultural labor in Texas. Using ARS enables employers to recruit workers without the use of foreign labor, which is particularly critical because of the cap on the number of H-2B workers allowed to obtain visas and the complexity of the H-2A process.

TWC also collaborates with Boards to develop innovative ways to serve agricultural employers and engage communities in economic and rural development. To these ends, TWC coordinates and facilitates Agricultural Employer Forums (Forums) in partnership with agriculturally significant areas of the state, including the Lower Rio Grande Valley, Middle Rio Grande, Upper Rio Grande, and South Plains Boards, and TWC's MA. The Forums are a cooperative effort between federal and state governments and the private sector to keep the public informed about issues that impact agricultural employers and workers. The Forums may cover laws that affect the agricultural sector; they also provide education, outreach, and information on regulations to spur greater compliance by employers and better working conditions for agricultural workers. Depending on the needs of agricultural associations and employers, the following agencies may participate:

- Texas Department of Agriculture
- Internal Revenue Service
- US Social Security Administration
- US Equal Employment Opportunity Commission
- US Department of Justice/Office of Special Counsel
- Texas Health and Human Services Commission
- TWC's Tax Department

- DOL, Wage and Hour Division
- DOLETA
- US Department of Homeland Security
- US Immigration and Customs Enforcement
- MET, Inc.
- Agricultural institutions of higher education
- Local and regional water allotment and irrigation districts

[1] <https://twc.texas.gov/businesses/agricultural-services>

## 6. OTHER REQUIREMENTS

### A. COLLABORATION

Describe any collaborative agreements the state workforce agency (SWA) has with other MSFW service providers including NFJP grantees and other service providers. Describe how the SWA intends to build upon/increase collaboration with existing partners and in establishing new partners over the next four years (including any approximate timelines for establishing agreements or building upon existing agreements).

#### **Organizational Coordination**

Boards receive assistance from the FLC and/or the SMA in implementing strategies that address these issues through coordination among federal and state agencies and private organizations. FLC's and/or SMAs efforts encourage the use of the agricultural recruitment system to link employers needing agricultural labor in Texas with MSFW supply. Use of the agricultural recruitment system enables employers to recruit workers without the use of foreign labor, which is particularly critical because of the cap on the number of H-2B workers allowed to obtain visas and the complexity of the H-2A process.

TWC also collaborates with Boards to develop innovative ways to serve agricultural employers and engage communities in economic and rural development. To these ends, TWC coordinates and facilitates Agricultural Employer Forums (Forum) in partnership with agriculturally significant areas of the state, including the Lower Rio Grande Valley, Middle Rio Grande, Upper Rio Grande, and South Plains Boards, and TWC's SMA. The Forums are a cooperative effort between federal and state governments and the private sector to keep the public informed about issues that impact agricultural employers and workers. The Forums may cover laws that affect the agricultural sector; they also provide education, outreach, and information on regulations to spur greater compliance by employers and better working conditions for agricultural workers. Depending on the needs of agricultural associations and employers, the following agencies may participate:

- Texas Department of Agriculture
- Internal Revenue Service
- US Social Security Administration
- US Equal Employment Opportunity Commission
- US Department of Justice/Office of Special Counsel



- Texas Health and Human Services Commission
- TWC's Tax Department
- US Department of Labor, Wage and Hour Division
- US Department of Labor, Employment and Training Administration
- US Department of Homeland Security
- US Immigration and Customs Enforcement
- MET, Inc.
- Agricultural institutions of higher education
- Local and regional water allotment and irrigation districts

## B. REVIEW AND PUBLIC COMMENT

In developing the AOP, the SWA must solicit information and suggestions from NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. In addition, at least 45 calendar days before submitting its final AOP, the SWA must provide a proposed plan to NFJP grantees, public agencies, agricultural employer organizations, and other organizations expressing an interest and allow at least 30 days for review and comment. The SWA must: 1) Consider any comments received in formulating its final proposed AOP; 2) Inform all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore; and 3) Transmit the comments and recommendations received and its responses with the submission of the AOP.

The AOP must include a statement confirming NFJP grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations and other interested employer organizations have been given an opportunity to comment on the AOP. Include the list of organizations from which information and suggestions were solicited, any comments received, and responses to those comments.

Transmission of the Combined State Plan (Plan) includes assurances that interested parties were given an opportunity to review and provide public comment on the Plan; such parties include, but are not limited to, WIOA §167 National Farmworker Jobs Program grantees, other appropriate farmworker groups, public agencies, agricultural employer organizations, and other interested employer organizations.

This agricultural outreach plan was posted for public comment, November 26, 2019, through December 26, 2019. No public comments were received during the 30-day comment period.

## C. DATA ASSESSMENT

Review the previous four years Wagner-Peyser data reports on performance. Note whether the State has been meeting its goals to provide MSFWs quantitatively proportionate services as compared to non-MSFWs. If it has not met these goals, explain why the State believes such goals were not met and how the State intends to improve its provision of services in order to meet such goals.

### **Performance Indicators Reflecting Equity**

TWC will continue to work with Boards to maintain and improve performance for the equity-ratio indicators and minimum service-level indicators. For the past several years, in order to ensure that optimal performance is being adequately measured. Texas has continues to

attempted to meet all equity-ratio indicators and minimal service-level indicators ~~continues to~~ ~~better~~ examine the new reporting structure and WIT (VOS) web-based system collection ~~to ensure optimal performance is being captured and measured~~. During the SMA's visits in PY'19-20, the SMA discussed performance for these measures with Board management, Workforce Solutions Office management, and MSFW outreach staff. ~~Boards with MSFW-significant Workforce Solutions Offices~~. Monitoring efforts during PY'20 have focused on the changes in performance.

Meeting the placement minimum service level indicators for PY'20 may pose challenges for TWC, as experienced in PY'19. The following conditions contribute to this challenge:

- Due to post-COVID-19 ~~and~~ office closures and current MSFW minimum service level indicators, ~~place~~ MSFW labor supply states, such as Texas, ~~are~~ at a disadvantage. Because of the mobility of MSFWs—many workers move to take jobs in other states—the measurable outcome, assuming UI wage data matches with TWC's data, ~~based out of~~ state farmworkers ~~and~~ augment performance accountability measures
- MSFWs reside in areas that experience the highest rates of unemployment.
- Many states do not require UI claimants who file interstate claims to register in the local job matching system or to participate in the UI availability-for-work requirement.
- Wages are depressed in areas with high unemployment, which increases the migration of local workers to other parts of the state and to other states.
- Much of the work performed by MSFWs has been paid on a piece-rate basis.

Texas is known to provide labor to ~~most of~~ the nation. Performance accountability standards are based on rolling quarter UI data and can pose a challenge to ~~measuring~~ accountability measures. Historically, placements were measured at an hourly rate, thus excluding placements paid by piece rate. Therefore, reported performance does not accurately reflect all activity in the wages at placement category. Workforce Solutions Office staff can increase placements and meet the minimum service level indicators by developing strategies to serve MSFWs by:

- emphasizing services that will result in more MSFWs being placed in agricultural and nonagricultural jobs;
- providing local agricultural peak-season plans to assist agricultural employers and to engage in the agricultural sector while creating job placement initiatives for MSFWs;
- referring MSFWs to Workforce Solutions Office services;
- stressing the use of electronic, self-service systems to encourage MSFWs take an active role in their job search.
- coordinate with Workforce Solutions Office partners to foster an effective outreach program—including maintenance of the MOU with MET and other farmworker organizations and community partners; and
- promote economically self-sustaining, year-round jobs through skills development under the National Farmworker Jobs Program (NFJP), MET, and curriculum development with local community colleges.

### **MSFW-Significant Workforce Solutions Office Affirmative Action Plans**

DOLETA has designated the Edinburg, Mission, and Weslaco Workforce Solutions Offices (Lower Rio Grande Valley Board) as representing the top 20 percent of MSFW activity

nationally. These Workforce Solutions Offices have implemented affirmative action plans to ensure that the number of MSFW outreach specialists on the staff continues to reflect the local MSFW population.

The composition of TWC’s ES staff at these Workforce Solutions Offices has not significantly changed during the past 10 years; however, there has been some turnover in outreach specialists. TWC and the Texas workforce system have announced job vacancies through various farmworker organizations, including MET, which is TWC’s NFJP partner. Most ES staff members are long-term employees who are familiar with the employment issues of MSFWs and are sensitive to their needs. Approximately 70 percent of ES staff in these significant locations have worked in or been involved in agriculture and are familiar with the industry. Staff has traditionally worked closely with outside agencies, organizations, and workforce service providers to coordinate services for MSFWs. Additionally, staff is familiar with ongoing agricultural activities and trends, employment-related issues, and the laws and regulations that protect this population.

#### D. ASSESSMENT OF PROGRESS

The plan must include an explanation of what was achieved based on the previous AOP, what was not achieved and an explanation as to why the State believes the goals were not achieved, and how the State intends to remedy the gaps of achievement in the coming year.

An assessment of progress is noted throughout this AOP section. The following explanation expands upon other achievements and achievement gaps of the previous AOP.

#### E. STATE MONITOR ADVOCATE

The plan must contain a statement confirming the State Monitor Advocate has reviewed and approved the AOP.

The Texas SMA has had the opportunity to review and comment on the agricultural outreach plan and has approved the plan as submitted. The SMA contributed to the design, scope, and priorities of this plan as a method of continuing to serve and meet the needs of Texas agricultural employers, workers, and industry.

#### WAGNER-PEYSER ASSURANCES

The State Plan must include assurances that:

The State Plan must include	Include
1. The Wagner-Peyser Act Employment Service is co-located with one-stop centers or a plan and timeline has been developed to comply with this requirement within a reasonable amount of time (sec 121(e)(3));	Yes
2. If the State has significant MSFW one-stop centers, the State agency is complying with the requirements under 20 CFR 653.111, State Workforce Agency staffing requirements;	Yes
3. If a State Workforce Development Board, department, or agency administers State laws for vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser Act services, Adult and Dislocated Worker programs and Youth Programs under Title I; and	Yes

4. SWA officials: 1) Initiate the discontinuation of services; 2) Make the determination that services need to be discontinued; 3) Make the determination to reinstate services after the services have been discontinued;	Yes
The State Plan must include	Include
4) Approve corrective action plans; 5) Approve the removal of an employer's clearance orders from interstate or intrastate clearance if the employer was granted conditional access to ARS and did not come into compliance within 5 calendar days; 6) Enter into agreements with State and Federal enforcement agencies for enforcement-agency staff to conduct field checks on the SWAs' behalf (if the SWA so chooses); and 7) Decide whether to consent to the withdrawal of complaints if a party who requested a hearing wishes to withdraw its request for hearing in writing before the hearing.	

#### WAGNER PEYSER PROGRAM PERFORMANCE INDICATORS

#### **Performance Goals for the Core Programs**

Each state submitting a Unified or Combined State Plan is required to identify expected levels of performance for each of the primary indicators of performance for the first two years covered by the plan. The state is required to reach agreement with the Secretary of Labor, in conjunction with the Secretary of Education, on state-negotiated levels of performance for the indicators for each of the first two years of the plan.

For Program Year (PY) 2016-2019 plans, the Departments used the transition authority under section 503(a) of WIOA to designate certain primary indicators of performance as "baseline" indicators to ensure an orderly transition from the requirements of the Workforce Investment Act of 1998 to those under WIOA. A "baseline" indicator was one for which states did not propose an expected level of performance and did not come to agreement with the Departments on negotiated levels of performance because sufficient data was not available to establish such performance levels. As a result, "baseline" indicators were not used in the end of the year adjustment of performance levels and were not used to determine failure to meet adjusted levels of performance for purposes of sanctions. The Departments designated indicators as "baseline" based on the likelihood of a State having insufficient data with which to make a reasonable determination of an expected level of performance.

For PYs 2020-2023 Plans, Title I programs (Adult, Dislocated Worker, and Youth) and the Title II program (Adult Education and Family Literacy Act) will have two full years of data available to make reasonable determinations of expected levels of performance for the following indicators for PY 2020 and PY 2021:

- Employment (Second Quarter after Exit);
- Employment (Fourth Quarter after Exit);
- Median Earnings (Second Quarter after Exit);
- Credential Attainment Rate; and
- Measurable Skill Gains

The Wagner-Peyser Act Employment Service program, authorized under the Wagner-Peyser

Act, as amended by title III of WIOA, will have two full years of data available to make a reasonable determination of expected levels of performance for the following indicators for PY 2020 and PY 2021:

- Employment (Second Quarter after Exit);
- Employment (Fourth Quarter after Exit); and
- Median Earnings (Second Quarter after Exit)

The Credential Attainment Rate and Measurable Skill Gains indicators do not apply to the Wagner-Peyser Act Employment Service program; therefore, this program will not submit expected levels of performance for these indicators.

For the first two years of PYs 2020-2023 Plans, the Vocational Rehabilitation (VR) program, authorized under title I of the Rehabilitation Act of 1973, as amended by title IV of WIOA, will have two full years of data available for the Measurable Skill Gains indicator only. Therefore, the Departments will designate the following indicators as “baseline” for the VR program for PY 2020 and PY 2021:

- Employment (Second Quarter after Exit);
- Employment (Fourth Quarter after Exit);
- Median Earnings (Second Quarter after Exit); and
- Credential Attainment Rate

VR agencies must continue to collect and report on all indicators, including those that have been designated as “baseline, pursuant to section 116(d) of WIOA.” The actual performance data reported by these programs for indicators designated as “baseline” for PY 2020 and PY 2021 will serve as baseline data in future years. The Departments will require VR agencies to submit expected levels of performance for these indicators for PY 2022 and PY 2023.

The Departments determined that the Effectiveness in Serving Employers indicator will be measured as a shared outcome across all six core programs within each state to ensure a holistic approach to serving employers. The Departments will continue piloting approaches for measuring this indicator for the first two years of PY 2020-2023 plans. Therefore, states are not required to submit an expected level of performance for the Effectiveness in Serving Employers indicator for PY 2020 and PY 2021. However, core programs are expected to collect data and report on this indicator for PY 2020 and PY 2021 as they did for PYs 2016-2019 plans.

Each core program must submit an expected level of performance for all of the other indicators, as applicable, with the exception of the four indicators designated as “baseline” for the VR program in PY 2020 and PY 2021. The Departments will work with states during the negotiation process to establish negotiated levels of performance for each of the primary indicators for the core programs not listed as “baseline.” Each state must update its plan to include the agreed-upon negotiated levels of performance before the Departments approve a state’s plan.

States may identify additional indicators in the plan, including additional approaches to measuring Effectiveness in Serving Employers, and may establish levels of performance for each of the state indicators. Please identify any such state indicators under Additional Indicators of Performance.

Performance Indicators	PY 202 <del>0</del> <a href="#">Proposed/Expected Level</a>	PY 202 <del>0</del> <a href="#">Negotiated/Adjusted Level</a>	PY 202 <del>31</del> <a href="#">Proposed/Expected Level</a>	PY 202 <del>31</del> <a href="#">Negotiated/Adjusted Level</a>
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Employment (Second Quarter After Exit)	<del>66.961.0%</del>	<del>68.0%</del>	<del>66.962.0%</del>	<del>68.0%</del>
Employment (Fourth Quarter After Exit)	<del>68.761.0%</del>	<del>68.7%</del>	<del>68.762.0%</del>	<del>68.7%</del>
Median Earnings (Second Quarter After Exit)	<del>\$5,900525</del>	<del>\$5,525</del>	<del>\$5,950525</del>	<del>\$5,525</del>
Credential Attainment Rate	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Measurable Skill Gains	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Effectiveness in Serving Employers	Not Applicable <sup>1</sup>	Not Applicable <sup>1</sup>	Not Applicable <sup>1</sup>	Not Applicable <sup>1</sup>

<sup>1</sup> "Effectiveness in Serving Employers" is still being piloted and this data will not be entered for ~~2020~~ 2022 State Plans.