

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

DATE: 07/19/2021

MINUTES PREPARED BY: MIKE ZASTOUPIL

Attendance

Present

- **Nicole Blissenbach**, Deputy Commissioner, Minnesota Department of Labor and Industry
- **Rena Wong**, Director of Organizing, United Food and Commercial Workers (UFCW) Local 663
- **Maureen Ramirez**, Director of the Office of Economic Opportunity, Minnesota Department of Employment and Economic Development
- **Jennifer Christensen**, President, United Food and Commercial Workers (UFCW) Local 1189
- **Mike Zastoupil**, Food Access Associate, Minnesota Department of Health
- **Kristi Halvarson**, Executive Director, Community Health Service, Inc.
- **Carrie Rigdon**, Operations and Planning Section Manager, Minnesota Department of Agriculture
- **Colin Laffey**, Staff Attorney, Agricultural Worker Project, Southern Minnesota Regional Legal Services (SMRLS)
- **Tamara Nelsen**, Executive Director, Minnesota AgriGrowth Council
- **Rodolfo Gutierrez**, Executive Director, HACER
- **Lorrie Janatopoulos**, CareerForce Director, Minnesota Department of Employment and Economic Development
- **Emilia Gonzalez Avalos**, Executive Director, Unidos MN
- **Kiza Olson**, CHS Administrator, Meeker-McLeod-Sibley Community Health Services
- **Andrea Vaubel**, Deputy Commissioner, Minnesota Department of Agriculture
- **Gary Wertish**, President, Minnesota Farmers Union

Absent

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

- **Hamse Warfa**, Deputy Commissioner, Minnesota Department of Employment and Economic Development
- **Kevin Paap**, President, Minnesota Farm Bureau
- **Susan Bishop**, Supervisor, Minnesota Department of Health, and Migrant Agricultural Worker Response Lead, ICS

Guests Present

- **Alyssa Wetzel-Moore**, Community Development Director, Minnesota Housing Finance Agency (MHFA)
- **Wendy Spanier**, FPLS South Field Operations Unit Supervisor, Minnesota Department of Health (MDH)

Agenda

- 1:00 PM **Welcome**
- 1:05 PM **Approve Minutes & Meeting Agenda**
- 1:10 PM **Public Comments**
- 1:15 PM **Member Introductions**
- 1:30 PM **Theme #2: Housing**
- 2:20 PM **Next Steps: Phase 2 of the Committee**
- 2:50 PM **Final Thoughts & Next Steps**
- 3:00 PM **Adjourn**

Meeting notes

Approve Minutes & Agenda

Tamara moved, Kristi second. Approved.

Public Comments

Historical opportunity for access to citizenship at the federal level. Reach out to Emilia at UNIDOS MN to get involved.

Member Introductions

Emilia Gonzalez – UNIDOS MN

UNIDOS MN (also known as Navigate MN) is a grassroots organization building power for working families in MN and advancing social and racial justice for all. They do this through community organizing and population cultural storytelling, leadership development, and empowering movements. UNIDOS envisions a Minnesota where everyone's inherent dignity is recognized and Latine/xs are unapologetic of their cultural roots. UNIDOS is a statewide organization with offices in Mankato, St. Cloud, Minneapolis, and Worthington.

Emilia is excited to be a part of this committee because UNIDOS has built relationships with many families of agricultural and food processing workers and understands their struggles. One project that UNIDOS is working on right now to help agricultural and food processing workers is a contract with MDH to deliver efficient access to vaccination and public health. Additionally, they have set up a phone line to provide direct monetary support (raised \$1.8 million) to undocumented people who have been left out of the federal economic stimulus packages.

Emilia's dad was frontline worker in food systems, and she is part of a mixed status family with first generation Latinos.

Kiza Olson - Meeker-McLeod-Sibley Community Health Services

Kiza works for a Community Health Board in rural MN. They work on everything related to public health. That includes COVID and working with the most vulnerable populations experiencing health disparities in her area. Kiza started just before COVID, so she is still getting situated in her role. There are a lot of food processing plants in her counties (located west of the Twin Cities), so she provides health services to many families of agricultural and food processing workers. Kiza used to be a licensed nursing home administrator, and still has a passion for helping the elderly.

Theme #2: Housing

Eviction Moratorium – Allysa Wetzel-Moore (MHFA)

Alyssa used to work for SMRLS, so she has some experience seeing the challenges of agricultural and food processing workers first-hand.

In 2020, the Governor put in place an eviction moratorium. What this meant was that apartments and other housing sites couldn't evict people for non-payment of rent. On June 29th, 2021, the legislature passed an "off-ramp" from the eviction moratorium into law that became effective June 30th. The off-ramp phases out the protections of the Eviction Moratorium over a period of time.

Figure 1. Important Dates for Eviction Moratorium Off-Ramp (visit: https://f.hubspotusercontent20.net/hubfs/19539973/MHFA_259550.pdf)

The eviction moratorium is ending



Know your rights. Mark these dates. Learn what you can do to stay in your home.

<p>Your lease could be terminated if you materially violate your lease agreement (does not include nonpayment of rent).</p> <p>You could be evicted if you qualify for rental assistance but refuse to apply.</p>	<p>You could be evicted if you materially violate your lease agreement (does not include nonpayment of rent).</p>	<p>Your lease could be terminated if you have not paid your rent and are not eligible for COVID-19 rental assistance.</p>	<p>You could be evicted if you have not paid your rent and are not eligible for COVID-19 rental assistance.</p>	<p>All lease termination and eviction protections are lifted except for eligible renters with pending COVID-19 rental assistance applications.</p>	<p>All lease termination and eviction protections are lifted.</p>

The Minnesota Housing Finance Agency (MHFA) is providing COVID-19 emergency rental assistance. Households are eligible for the COVID-19 emergency rental assistance if they meet four criteria:

- Be a renter in Minnesota
- Have a household income under 80% of the area median income
- Have a member of the household that can demonstrate the COVID-19 pandemic has negatively impacted their ability to pay rent
- Be at risk for housing instability or homelessness

Alyssa encourages people to just apply, even if they aren't sure. If people applied and weren't eligible for rent assistance in the past, they can reapply.

Some important terms to know:

Lease termination: A lease termination is a notice that is given to households by the landlord to inform them that their tenancy will be ending. It does not appear on tenant screening reports. Your lease expires on a specific date.

Eviction: An eviction action is a legal action in court to require the tenants to give up possession of the property. This type of action *does* appear on a tenant screening report and in court file records.

Notice requirement: Minnesota doesn't have a notice requirement, typically. But from June 30th to October 12th, landlords do need to provide 2-weeks notice.

Pending application: An application is considered "pending" if it hasn't been withdrawn, denied, or paid. As long as the application is pending, the person is protected from eviction.

MHFA knows that it is taking a long time to send out payments to qualified applicants, they are working on it.

If the landlord doesn't agree to participate in the MN Help program, the participant can still be paid directly.

While MHFA is running the rental assistance programs, it is not enforcing the off-ramp provisions. So, if someone wants to argue this, they still need to take it to court. Alyssa recommends that they call 211 or go to renthelpmn.org to get help, including legal aid. If someone gets an eviction or lease termination, and doesn't believe their landlord is following the rules, they should contact the hotline:

- Metro – 612-728-5767; Greater Minnesota – 866-866-3546

MHFA is expecting to launch a new program in the fall called "Home Health MN" to provide assistance for homeowners and anyone renting manufactured housing. Anyone is eligible as long as they are currently a resident of MN and will be living in the home at the time they are paid the assistance money.

Housing Inspections – Wendy Spanier (MDH)

Wendy is speaking for Angie Wheeler today. Wendy is the south field operations supervisor for Food, Pools, and Lodging. Angie is her manager. They have 5 different program areas that they inspect. Each program has different inspection rules.

- Food Code
- Lodging (hotel/motel, long-term living, resorts)
- Manufactured Home Parks / Recreational Camping
- Public Pools
- Youth Camps

MDH covers inspections for about half of the state. For the other half, inspections are delegated to 30 different local authorities (e.g. City of Minneapolis, Ramsey County). <https://www.health.state.mn.us/communities/environment/food/license/delegation.html> Each has its own enforcement process and does not share data with MDH. However, all inspection reports by MDH are public data, unless it's part of an active enforcement case.

Lodging Code dictates what gets inspected (water, floors, waste, pests, etc.). Right now, looking at updated the Lodging Code – for example, one thing MDH is looking at adding to the code is carbon monoxide standards.

The Manufactured Home Park program only licenses the owner of the whole park – not individual homeowners/renters. A "park" is any tract of land with 2 or more manufactured homes.

Questions:

Based on the map of delegated authorities – how do we know whether the city or the county is inspecting/enforcing, and at what level are they doing that?

- There are only a few cities that are located in counties that also have delegated authority (e.g. Minneapolis, Hennepin County). Wendy can share the contact info for all inspecting agencies.

If MDH or delegated authorities inspect the owner of a park, who would inspect the individual units within a larger park?

- Wendy thinks there wouldn't be anyone who inspects the individual units. The only time that they would have authority over an individual home is if it is abandoned and declared a public nuisance.

Discussion

The discussion started in small groups, with everyone reporting back to the large group to continue the conversation. It started with questions about housing inspections.

- If MDH doesn't inspect the individual mobile homes in a park, who could?
- What do MDH inspections actually look like?
 - For example, how many inspectors does Wendy have on her team, and what is their workload? Could we ask DEED the same question about H-2A housing?
- Is failing an inspection enough of a disincentive for maintaining housing conditions?
 - Could there be a carrot AND a stick for employers to maintain employers housing?

There is one staff person at DEED in charge of inspecting all H-2A housing in Minnesota. Lorrie shared that U.S. DOL Wage & Hour Division may only do inspections on a complaint basis. If even us, as well-informed professionals in the field, have a hard time figuring out what the housing laws and limitations are, how does anyone else know where to do turn for help? Everyone agreed that housing regulation for agricultural and food processing workers is a complicated patchwork/puzzle. Everyone would like to learn more about which agency has authority for what, to help connect the dots.

How do workers even find housing? Some migrant workers and other workers may find their own housing in communities near their work. Employers are also interested in finding their workers housing, so that they can keep their operations running. In general, housing can be difficult to find in rural communities for anyone living there, not just food and ag workers.

Jamie Sandoval is a Migrant Labor Representative, and shared that many workers find housing by word of mouth. Sometimes one person will go ahead and scout out housing. But every year, some workers come here, can't find housing, and leave without working. This can contribute to labor shortages. Even if there is federal funding available, it might be hard to find contractors to build housing. So, is there a possibility to tie together federal dollars, employers, state government inspection, etc. to figure out some housing solutions?

There are some examples of agricultural employers that provide good quality housing for their workers. But Silvia Owens also shared many first-hand accounts in her small group of horror

stories of housing conditions, including mushrooms growing in bathrooms and shower floors nearly collapsing. These problems happen every year and have been happening for decades.

Classifying different types of agricultural and food processing workers

Will table this for now.

Review of Report to Governor

- Explains what we have accomplished so far
- Committee Priorities
- Explains what our plan is to accomplish the objectives of this committee

Gary moved to approve the workplan report, Tamara and Rodolfo second. Colin had a question about how often we will meet moving forward. The committee approved the workplan report, with the addition of keeping the meetings 2x/month.

Next Steps – Phase 2 of the Committee

The support staff felt that the meetings 2x/month weren't being fully utilized, and worried that it was asking a lot of the committee members' time. So, they proposed taking a break in August, and then coming back and meeting once per month September, October, November, with the final report due December 1st. This would give the support staff more time to do legwork between meetings.

Colin felt like we could use more meetings than 1x/month to make sure we're ready with a good proposal by December 1st. But Colin agrees that having committee members do more legwork between meetings makes sense. Rodolfo agrees that there are many issues, particularly related to housing, and "second-ed and third-ed" the idea of keeping the meetings 2x/month, or even more often.

Rena feels that a lot of the workers her union supports are immigrant workers and thinks we still need to address that topic (of immigration more broadly) with this committee. For example, drivers' licenses are a big issue tied to immigration status which affects food and ag workers' ability to get to work!

Now that we are entering the second phase of the committee, we should probably change the structure and content of the meetings. For example, they should probably be less educational/guest speaker-heavy, and structured more toward figuring out solutions together. Susan suggested that support staff could bring existing policy proposals, and past proposals, to kickstart ideas and discussion. Rena thinks that would be helpful.

Tamara suggested that if we could shorten meetings to 1 hour 30 min, that would also make it easier to meet more frequently.

Final Thoughts & Next Steps

Tamara moved to adjourn, Rena second. Adjourned at 2:58 PM.

Decisions

- Approved the workplan report for submission to the Governor's Office.
- Decided to keep committee meetings on the current schedule of 2x/month until December 1st, when the policy recommendations are due to the Governor.
- Decided to shorten the committee meeting time to 1 hour and 30 min from now on.

Action items

- Support staff will dig into questions that came up during this meeting – may ask committee members for help (e.g. Nicole from DLI).
- We will keep the 2x/month meeting schedule for now, and support staff will figure out a better structure for Phase 2 of the work.

Next Meeting

August 2nd, 2021, 1:00 – 3:00 PM Central Time

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

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