

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

DATE: 06/07/2021

MINUTES PREPARED BY: MIKE ZASTOUPIL

Attendance

Present

- **Andrea Vaubel**, Deputy Commissioner, Minnesota Department of Agriculture
- **Hamse Warfa**, Deputy Commissioner, Minnesota Department of Employment and Economic Development
- **Gary Wertish**, President, Minnesota Farmers Union
- **Rena Wong**, Director of Organizing, United Food and Commercial Workers (UFCW) Local 663
- **Colin Laffey**, Staff Attorney, Agricultural Worker Project, Southern Minnesota Regional Legal Services (SMRLS)
- **Emilia Gonzalez Avalos**, Executive Director, Unidos MN
- **Rodolfo Gutierrez**, Executive Director, HACER
- **Susan Bishop**, Supervisor, Minnesota Department of Health, and Migrant Agricultural Worker Response Lead, ICS
- **Nicole Blissenbach**, Deputy Commissioner, Minnesota Department of Labor and Industry
- **Tamara Nelsen**, Executive Director, Minnesota AgriGrowth Council
- **Kiza Olson**, CHS Administrator, Meeker-McLeod-Sibley Community Health Services
- **Sarah Berry**, Public Health Director, Waseca County | CHS Administrator, Le Sueur – Waseca Community Health Board
- **Kevin Paap**, President, Minnesota Farm Bureau
- **Maureen Ramirez**, Director of the Office of Economic Opportunity, Minnesota Department of Employment and Economic Development
- **Carrie Rigdon**, Operations and Planning Section Manager, Minnesota Department of Agriculture
- **Kristi Halvarson**, Executive Director, Community Health Service, Inc.
- **Lorrie Janatopoulos**, CareerForce Director, Minnesota Department of Employment and Economic Development

- **Mike Zastoupil**, Food Access Associate, Minnesota Department of Health

Absent

- **Jennifer Christensen**, President, United Food and Commercial Workers (UFCW) Local 1189

Guests Present

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 **Alignment & Introductions**
 - Draft Proposal
 - Discussion
 - Vote on Actions
- 2:30 PM **Vaccine Update**
- 3:00 PM **Adjourn**

Meeting notes

Public Comments

None.

Member Introductions

Rodolfo Gutierrez – Executive Director, HACER

Rodolfo is originally from Mexico and came here 24 years ago to pursue a PhD at the UofM, and ended up staying. He began his career teaching history of U.S. and Latin American relationships.

Rodolfo has been Executive Director of HACER (<https://hacer-mn.org/>) since 2007. HACER is a community org that does community-based research, so it brings the results to the people

faster than academia. HACER has done work on several projects related to migrant, seasonal, and permanent agricultural workers.

Recently, Rodolfo has been working with the Minnesota Department of Health in assessing the needs of the Latinx community regarding COVID-19. He also recently received a CDC grant to work with immigrant communities about vaccination education. It is a vulnerable population that requires a lot of attention, and it is a problem that has been around for a long time.

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

Colin is originally from the Milwaukee, WI area. He went to Creighton University in Omaha. Between college and law school, he volunteered for one year with Catholic Charities, and another year on the Rosebud Indian Reservation in South Dakota.

Southern Minnesota Regional Law Services (SMRLS) (<https://www.smrls.org/>) is one of many legal aid agencies in Minnesota. They represent folks who live in the southern few counties of MN. Colin has been working at SMRLS on the Agricultural Worker Project for 3 years and is based in the St. Cloud office.

The Agricultural Worker Project (<https://www.smrls.org/get-help/legal-services/agricultural-worker-projectel-proyecto-para-trabajadores-agricolas/>) at SMRLS is unique, in that they provide free legal services to domestic, migrant, and H-2A workers across all of MN and ND. The only type of workers they don't work with are meat packing and poultry processing plants – "once the animal is dead, they don't represent." SMRLS utilizes the full spectrum of legal tools to address issues for their clients, from mediation to reporting cases to DLI or DOL, to going to court. The types of legal issues they assist with include:

- Wage theft, overtime
- Workplace health & safety violations
- Housing concerns
- Discrimination & retaliation
- Contract issues
- Immigrant and public benefits (limited)

An important thing that the Agricultural Worker Project does every year is outreach to inform workers of their legal rights and how to reach an attorney for legal help. They typically go out and meet workers where they live in the evening, don't they disrupt the workday. While this type of outreach didn't happen during COVID, they are hoping to get in-person outreach back up and running again soon. The Agricultural Worker Project also shares legal information by passing out legal rights calendars to the community and managing a pretty robust Facebook page in English and Spanish.

Currently, Colin is working on a needs assessment of farmworker communities with Rodolfo's assistance. It's an internal assessment, so there isn't much he can share with this committee.

Another issue that Colin works on frequently is overtime rights. Agricultural workers have the right to overtime pay in Minnesota, and many of them don't know that.

Alignment and Introductions

Some of the big themes that came up from the survey results in the last meeting are 1) Data, 2) Housing, 3) Agency Coordination & Capacity, and 4) Outreach & Communication. The Executive Order explicitly mentions these focus areas as well, so those are already aligned. The EO also has a big focus on COVID-19 response and transportation, which didn't come up in the survey.

This brings up the idea of dividing into subcommittees or working groups, to work on writing plans for the August 1st report and policy recommendations by the Dec. 1st report deadline. Began discussion with prompt questions.

How does the committee feel about the alignment of the survey results and the objectives? What about the lack of specifics about COVID-19 response and transportation? Other gaps you notice?

COVID-19 may be a good framework and context for the topic areas we are going to dig into. Might be best to make it about resiliency and sustainability of the system, and not just about COVID-19. MDH and LPH representatives agree with this approach. The problems exist with or without COVID, but COVID has certainly exacerbated the problems and shone a spotlight on them, which is why this committee was created. "People with the least fall the farthest and come back last." – Resiliency piece is very important.

There have been some great lessons learned from responding to COVID that might be things to learn from and build on when we think of policy recommendations. Especially on worker safety, outreach & communication – let's keep that up and learn from it.

Is this amount of work "doable" in the next 5 months? Should the committee focus more? What balance of breadth/depth feels right for accomplishing the objective of developing policy recommendations?

What does "doable" mean? Well, what we have been tasked to do is come up with a series of policy recommendations to improve safety/health/wellbeing. Do we think these topics are specific enough, and does a working group model seem like the best way to go about it?

Colin voiced that it is a big task, but also achievable. It will certainly take our time and commitment and resources. Fortunately, this committee has a nice breadth of expertise on the different aspects related to ag worker health & safety.

What are the strengths/weaknesses of moving to small groups for the next part of our work? Could you see an area or theme that you want to participate in? Are any of the theme areas so broad that they should be the work of everyone?

As efficient as small groups can be, each member may have expertise in more than one focus area. It might be tough to have to pick one topic area to contribute thoughts and ideas too. We also don't want to spend too much time establishing a process for our work but want to be mindful of that.

Susan wondered if one of the recommendations might be to continue to have this kind of committee past the date set forth in the EO? As we do the work, there could be more things uncovered that suggest an ongoing need for this kind of committee.

Sarah pointed out that there are so many tentacles, but can we get better at the root causes and the ramifications of a "single" issue? It would be better to be with a big group, the need for all of us to be here together.

Nicole agreed that we would benefit from the big group for all these conversations. She usually likes small groups but feels like we're a good representation of people and we could move all this together.

Rodolfo expressed that bringing together working groups can help people who feel more comfortable in small groups. Sometimes in a big group, some people are less likely to participate and speak up. Might be favorable for some small group work to bring some issues forward to the large group.

Colin asked if there is a hybrid way? Could the next meeting be a big meeting, but we break into 3 small groups all on housing, and then from there, we move forward. Using time productively, generating policy ideas, identifying barriers. Rena thought that breakout group model worked well last meeting.

Susan asked if small groups would be responsible to bring topics up and gather information ahead of time. Nicole agreed that this will require small groups to join pre-planning meetings for upcoming committee meetings.

Maureen summarized the ideas presented: During the next 4 months go over each theme area with the full group. Use small group discussion during the big group meeting. Have a pre-planning meeting, maybe invite committee members to ask for input to next meeting on specific topic.

Which topic/theme should the committee explore first?

It was suggested to start with the theme of "data" first. Starting with the data theme will help decide which themes should be explored next and give us enough information to write the first report (a plan of action) due to the Governor on August 1st. The first task could be to reach out to organizations that might have data and compile a list of the data sources with descriptions in a "data inventory." If we can figure out what data already exist, then we can see the gaps. And if we need more info, that can be part of the policy recommendations. First thing we do is find

out what data/info is out there. Maybe a survey to employers or agencies or organizations?
Potential groups to reach out to first include:

- MN Department of Commerce – data from insurance registration
- MN Department of Education – data on students and their families, including a Migrant Student Report
- Local public health agencies
- Employer groups

Vaccine Update

Adriana has been identifying places and regions where her team can work with a vaccine mobile unit. They have 2 buses that will cover SE and SW Minnesota the week of June 28. The mobile vax buses will spend 4 days in each area. This week Adriana will connect with the COVID Community Connectors (CCCs) from MDH, the Migrant Labor Representatives (MLRs) from DEED, and Tri Valley. Plan to work with CCCs who have good county contacts and can help with outreach.

Conclusion

Another call for public comments. None.

Sarah Berry asked for a couple of corrections to the May 27th minutes.

Rodolfo added a final comment that this committee is an opportunity to do something for real, for something long-term. Prior efforts had been isolated, but he has confidence this time. When we get the data, let's question it. How was it designed to be shown? We might have different information from different sources. Look at methodology and also the way the information is presented. He is hopeful that our work will make things better for people in need.

DC Hamse motioned to adjourn, Kevin 2nd. Meeting adjourned at 2:32 pm.

Decisions

- Agenda approved.
- Committee will continue to do its work as a whole group, rather than dividing into separate working groups.
- Will approve May 27th and June 7th meeting minutes at the next meeting. Mike will share minutes with all committee members with enough advance notice to review before the next meeting.

Action items

- Mike and other planning staff will come up with a solution for housing a data inventory, and other working documents, that would be accessible to all committee members to work on.

- Mike and planning staff will work on drafting an email template for soliciting data from other organizations.

Next Meeting

Date: June 7th, 2021

Time: 1:00 – 3:00 PM

Location: Microsoft Teams

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