**WorkforceGPS**

**Transcript of Webinar**

**Disaster Preparedness and Response: Serving Farmworkers**

**Part 2**

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JON VEHLOW: Welcome to "Part Two, Disaster Preparedness and Response, Serving Farmworkers." So without further ado I'd like to turn things over to our moderator today, Lianna Shannon, program and policy specialist, National Monitor Advocate System, Employment and Training Administration, with the U.S. Department of Labor. Lianna?

LIANNA SHANNON: Thank you, Jon. And welcome everyone. We're excited for you to be here with us today. Today we will be focusing on partnerships and resources for this part two of our two part series on disaster preparedness and response, serving farmworkers. We will end today's webinar with concrete next steps you can take away and tools that you can use to prepare for a natural disaster.

So according to the National Oceanic and Atmospheric Administration, or NOAA, the U.S. experienced a historic year of weather and climate disasters in 2017. In total the U.S. was impacted by 16 separate billion-dollar disaster events. Moreover the cumulative cost of these events exceeded $300 billion in 2017. That's a new U.S. annual record. Clearly all of these disasters have had a huge impact on people's lives, on agriculture, and for many of us on our organizations.

If you were able to participate in part one of our webinar series, you heard the many stories of the national farmworker jobs program, or NFJP, grantees and how different natural disasters affected farmworkers in their area, and affected their organizations. For today's presentation we're going to touch on the particular needs of farmworkers during and after a natural disaster, and how agriculture can be affected.

Then we'll go into the various resources that are available and what you can do to prepare should a natural disaster hit your area or your organization. So our objectives are, to identify what you can do in advance of a natural disaster to ensure farmworkers are served, identify which resources and partnerships may be helpful and how they can be arranged, and to identify next steps.

But before we hear from our presenters, let's find out a little bit about you. Please let us know what kind of organization you're with. You can see that in the poll on your screen OK. So we definitely have a lot of state government representatives here. Next we have federal government representatives. And then some people from local government and NGOs. Some people from other. But the majority of you are state government. Great. OK. Thank you.

Now we'd like to know what kind of organizations you're already partnering with. You can select multiple options here. So if you could put that into the poll box, we can kind of see what kind of partnerships you already have going. Wow. This is pretty close. A lot of – I mean state and local government is about tied. NGOs, mostly people are partnering with NGOs. A lot of people partnering with other federal government agencies.

So this is good. The majority of you are already working with other agencies to see how you can improve your services. So that's great. You're already off to a great start. So looking good. And hopefully by the end of this webinar you will have some new ideas about how you can expand upon your existing partnerships and which organizations may be beneficial for you to reach out to, to build new relationships, and collaborate should a disaster occur.

So our first presenter will tell you a bit about her experiences in Florida and which organizations she collaborated with to serve farmworkers. Minerva Figueroa is the senior monitor advocate for the Florida Department of Economic Opportunity. Minerva, over to you.

MINERVA FIGUEROA: Thank you, Lianna. Thank you so much for having me. As Lianna mentioned, I am the state monitor advocate with the Department of Economic Opportunity. I want to say a little bit about what that means. I am responsible for reviewing and monitoring our designated – (inaudible) – offices in the state.

I do that to ensure that our significant offices are in compliance with the protections and services that must be provided to migrant and seasonal farmworkers. In addition to that, I am also the complaint specialist. So my role with our significant offices and all the career centers in the state is to provide training and technical assistance on how to process any employment related law violation or employment service complaint.

I also as part of my responsibilities conduct field checks to ensure that again our agricultural employers are abiding by the stipulations in their job orders. And I also provide our agricultural employers with information about services that are available to them through our agricultural recruitment system and our H-2A program.

My presentation today is going to address three topics. First I'm going to talk a little bit about the preparedness that we did at the state level and then what were our response actions with regards to Hurricane Irma. I'm also going to talk briefly about the impact that the hurricane had on our agricultural businesses in the state, as well as our MSFW families, and some of the lessons that we actually learned in the aftermath of the hurricane.

Now here in Florida, as we were receiving reports of the impact of Hurricane Irma in parts of the state, we developed an MSFW outreach action plan. And the goal of this plan was to assess and respond to the needs of agricultural employers as well as MSFWs in the state. One of the first steps that we took to determine the status of our significant career centers was to communicate with them on a daily basis. We did that by using different methods of communication. Primarily we communicated via email, but we also communicated with our local boards, our career centers, by phone and cell phones.

Our contact with our offices was good in the sense that it allowed us an agency to stay informed of the status of our career centers, and at the same time based on these reports determine how were we going to be able to provide assistance to our centers. We were also able during the calls to inform local boards with information related to updates that we were getting from the state emergency operations center as well as the U.S. Department of Labor.

So on a daily basis there was ongoing communicate that was actually taking place with our local boards. We were exchanging information about updates that were receiving from our emergency center, and then they were also providing us with information about what was happening on the ground. From there we were able to determine which of our significant centers fell within one of the 37 counties that had been included in the governor's emergency declaration.

We also decided that a proactive step that we needed to take was to schedule a conference call with leadership from all the significant offices. And that allowed us really ascertain what were the immediate needs, what were things that we needed to do in preparation for our next step which was actually the deployment step.

Here at the office in addition to communicating with our local boards, my role as the senior monitor advocate was to also reach out to some of our farmworker organizations at the local level to try to assess and identify what were some of the needs of the farmworkers as well as some of the agricultural employers. So some of the agencies, just to give you an idea, some of the agencies that I communicated with, as well as my other colleagues here at DEO, were the farmworker career development program.

We also communicate with our migrant Title I programs, and the coalition of Florida farmworker organizations. They were other agencies that we also communicated with. So again we were conducting outreach, communicating, just making sure that at the state level we were just ascertaining the damage for our next step.

Once we had an idea of the impact of the hurricane at the local level, at that point in time we developed a deployment plan. The deployment plan consisted of another colleague of mine from the farming labor certification team and myself. Prior to deploying, we solicited donations based on some of the needs that we had received from our local boards and our other community partners. To give you an idea of some of the items that we collected, and I think it's good for all of us to also keep in mind when we are dealing with situations such as this one, the magnitude of this hurricane. We collected shoes, clothing, blankets, bug spray, flashlights, dishes, toiletries, canned goods.

I do want to say that it is a good practice to be able to as you are having those communications with our local agencies, to just create an urgent need list, and just jot down what you're listening to. If you know that for example, just like we had with this hurricane, that electricity is not going to be available for a couple of days, just keep that in mind when you are soliciting donations from community agencies.

One of the things that I did once I was deployed, I coordinated my response efforts with the MSFW outreach workers. And the reason that I did that is because Florida's outreach workers have great working relationships with our community partners.

And so it was really important for both of us to be able to reach out to them, to find out what type of critical services they were going to be able to provide to our MSFW families, services like housing assistance, rental assistance, food assistance, emergency shelter, also services related to transportation. Because for a lot of our farmworkers, they did not have reliable transportation to be able to get to the places where food and clothing and other forms of assistance were being provided. So again it was really important for me to be able to coordinate the response efforts that I was going to do at the local level with my outreach workers.

Another important service that I sometimes find that as providers we tend to forget is mental health services. And that is a service that I believe should always be part of our pre-emergency plan. Anyone that has gone through an event like this or any other form of event, it is important for us to be able to have those contacts with your local mental health providers. Because there may be someone that may need a referral to that type of service.

So once we had established what agencies were going to be available to provide the services that I mentioned, then we proceeded to do outreach. And during outreach we went ahead and the donations that have been brought with me, those were actually given out to the individuals and the families that were in need.

We also took the time to inform MSFW families about places within their community that were also offering other forms of assistance. And we went back to some of our community partners to let them know of families that, again because of the lack of transportation or because they were unable to come into town due to flooding in the streets being impassable, we did let them know where those families were located so that they could actually go out and provide that needed assistance.

Some of the crops in the state suffered damages due to the hurricane. Here in Florida we saw damages to the avocado, okra, and citrus crops. I also witnessed structural damages in some of our packing houses and nurseries in the state. I wasn't allowed entrance to some of the farms, mostly due to safety hazards because of downed electrical poles or flooding, or because some of the farm owners were actually doing their own initial assessment.

And so they did not allow the outreach worker and myself to come on to their property. Also because of the damages sustained in the citrus industry and because of the number of MSFWs that prior to the hurricane had actually left the state, our agency recognized the need for domestic workers through our agricultural recruitment system.

And so what we did was we worked very closely with our agricultural employers by connecting them with our local career centers so that both staff at the local level could work with our agricultural employers in making sure that they were assisting job seekers with the recruitment process, as well as agricultural employers to assist with the cleanup.

Some of our MSFW families lost their homes and what little possessions they had. A lot of them also suffered lost wages, because again as I already mentioned, you had farm owners that were doing their own assessment, and then you had other farms that were just impassable due to flooding. And so it was really important for us to refer those individuals to some of the agencies that I had previously mentioned, so that they could be assisted with rental assistance, or any type of other assistance.

The photos that you have in front of you here, I want to say a little bit about these photos. The first photo that you see at the top left is the entrance to an agricultural employer. The photo at the bottom is just one of the many farms that I visited from the outside. And as you can see that is just one of many pictures that I took that clearly illustrate the impact of the hurricane on the citrus crops in Florida. The photo at the top right hand, that is what used to be the home of an MSFW family. And the photo at your right bottom part is, that is just one emergency post that I could witness and actually visited in my trip throughout the state as part of my deployment. This is just one of the many that I visited, as I mentioned.

However, I do want to say that even in the aftermath of this hurricane, it was amazing to see the outpouring of members of the community including the faith community who came out to assist MSFW and other families impacted by the hurricane. Now even though Florida did prepare and have this MSFW outreach plan that I detailed at the beginning of the presentation, there were a couple of lessons that we learned and things that we are still working on. The first one is that due to the physical and other damages that our agricultural employers suffered, it was very difficult for us to gauge the needs of our agricultural employers because some of them had been temporarily shut down. So we did not have an idea of what their needs were.

Another lesson that we learned was that a lot of our MSFWs were able to leave the state. And so what we are trying to do is work very closely with our agricultural employers because a lot of the MSFWs opted not to return to the state. And so what we saw was an increase in the need of workers. So it is very important for us to determine prior to a natural disaster, how is it that we are going to be able to work with our employers.

And with that we also need to learn how are we going to be able to streamline the process of processing our emergency application. We saw an increase not only on our H-2A emergency filings, but we also saw an increase on the ARS. So it is important for us. And we are still in the very early stages of trying to figure out how is that going to look like. And then lastly, it was a very good coordinated effort that we had at the local level. But that actually happened after the hurricane. And so what we want to do as an agency is to learn as much as we can on how to coordinate with our partners before an event like this takes place. Thank you so much.

MS. SHANNON: Thank you, Minerva. And now we would like to turn it over to David Marin, the assistant district director with the Wage and Hour Division for the U.S. Department of Labor in Puerto Rico. Welcome, David.

DAVID MARIN: Hi. This is David Marin. I am from the, as she said, from the U.S. Department of Labor, Wage and Hour Division in the Caribbean district office of Puerto Rico. All right, so we are going to talk mainly about the effect of the Hurricane Maria on agricultural. Although I have to say that actually two hurricanes impacted Puerto Rico. Not just Maria, but also Irma. Irma just a little bit in the southeast part of Puerto Rico and then Maria on the whole island.

Hurricane Maria made landfall in Puerto Rico on September 20, 2017, which is about 14 days after Hurricane Irma, beating the island with winds up to 155 miles per hour for more than 30 hours. In fact yesterday we learned – two days ago we learned that Harvard made a story about the death toll in Puerto Rico. And it's about 4,600 people died during and a little bit after the event, so you know. It basically entered through Yabucoa and exited through the northeast shore – (inaudible). So it kind of – we were impacted through the whole island.

The interior part of the island where most of the – it is the place where most of our agricultural exists, although we have some agricultural crops – (inaudible) – tomatoes in the south, and plantains, and other stuff. The whole interior was affected. Bridges fell down, I mean you name it. We received between 35 and 40 inches of rain. So you have an idea, Puerto Rico received about 30 inches of rain in one day, which is equal to the amount that Houston received over three days during Hurricane Harvey. So you can imagine the damage that it caused to crops in Puerto Rico.

This photo, they are plantains, it's plantain crop. And it was smashed. So that alone takes around nine months to grow back and get full plantains. So 100 percent of the farms in Puerto Rico, almost 100 percent of them suffered damage by the hurricane. More than 80 percent of these farms, the damage was substantial and devastating, wiping out their whole crops.

Reported losses is about 200 million (dollars) in crops or 1.2 billion (dollars) in infrastructure. So coffee it takes about three years to grow back. So it is a – these farmers and these workers were very much affected. So you can see more photos of all them, you know, about, as you see, you see the zinc planks, those are from farms in Puerto Rico, damage to plantains, damage to banana trees, damages to coffee trees.

Ninety percent of all coffee trees were destroyed. And as I said, it can take up to three years to have a crop. In fact they were ready to – we were ready in September, we were going to have a nice coffee harvest. But obviously we couldn't because everything was destroyed. We have lack of electricity. Still in fact there are some still – there are still parts of Puerto Rico that there is no electricity. Myself, I live in the metropolitan area, and it took about 112 days for us to have electricity back. Recovery period, terrain clean up, it takes some time to clean it up, soil preparation, planting new trees. As I said, it could take a coffee crop about three years to have a full harvest.

In Puerto Rico we have – I have heard the person before me talking about the cooperation that you have with state and local agencies. Our only partner that we really have in Puerto Rico is the Puerto Rico Department of Labor, which has been fully committee to cooperate with us, and give us information, and refer complaints. But in general, in many instances, many agencies in Puerto Rico don't like us. It's kind of difficult to explain. I used to work in Pennsylvania and we had a great cooperation with the local department of agricultural. But not here. We are seen as people who – (inaudible) – wages for people and therefore are affect the farmers. So it has been a great challenge in Puerto Rico to enforce our laws and regulations.

Usually the only way that we have obtained this information has either through the Puerto Rico Department of Labor, internet, traveling to possible sites, surveys, individuals, workers, grocery stores. We have gone everywhere to obtain information, sometimes competitor's requests. But it is very challenging to provide a good service to migrant and seasonal agricultural workers in Puerto Rico. It is very challenging because usually the local agencies, they don't want to cooperate with us, to get these workers a fair pay and fair housing sometimes.

And also one of the challenges is Puerto Rico has, especially in coffee, we have the lowest wages ever in the United States. So that you have an idea, a bucket, a 5-gallon paint bucket, is about 28 pounds of coffee, which we call a almud. The workers are paid about $5 per almud. And usually these people when you take the total compensation divided by total amount of hours, sometimes it goes not only below the federal minimum wage, but also goes below the local minimum wage of $5.08 an hour. So you can imagine some of them are receiving – we have a case that they were receiving about $1.60 per hour. Why? Because they are paid on piece rate and it's very, very, very, very low.

Puerto Rico is the number one exporter of agricultural workers to the mainland U.S.. Some of them are from Humacao, Naguabo, and Yauco, places where they have a lot of employment problems. And for example I always remember this farm that would get farmworkers. They would get farmworkers from Puerto Rico, especially from Naguabo. So it's kind of interesting that we have the highest – we are the number on exporter of agricultural workers in the whole U.S..

Possible outreach contracts, as I said, we don't have enough, I mean we don't have a lot. The problem is that many – even local groups, they don't want to cooperate with us, or they're hesitant about bringing these cases to us. So the only partner that we have right now is Puerto Rico Department of Labor. And sometimes we are able to contact the Department of Agriculture and get some idea of what is going on with seasonal workers especially. We don't have that many migrant, but we have seasonal. We have migrant where they go to the mainland U.S.. So that's it.

MS. SHANNON: Great. Thank you so much, David. Next we have Krister Engdahl, the regional monitor advocate with the Employment and Training Administration in the U.S. Department of Labor. Krister, over to you.

KRISTER ENGDAHL: Yeah. Good morning, everybody, or afternoon, where you are, depending. My name's Krister Engdahl. I'm the regional monitor advocate in Region 6, San Francisco, California, covering most of the western states and the territories. And I also work, a federal project officer with many of the national farmworker job training programs and grants.

Well, today I'm going to talk a little bit about the use of – what used to be called National Emergency Grants, and now are known as National Dislocated Worker Grants, to provide resources in a disaster situation. But this one's not the hurricane or earthquake. The big event will be the drought. But I'm getting ahead of myself a little bit.

The NDWGs provide resources to states and other applicants to respond to larger unexpected layoffs, usually when a plant closes. They create temporary opportunities to assist with the recovery efforts. There's language and change in WIOA as we'll see in the next slide, to also cover events besides FEMA declared ones. California, as some of you know, went through five years of extreme drought.

This slide here can show the darker areas in the state where the most severe drought was. So this led up to the U.S. Department of Agriculture declaring a drought emergency. And under the new laws for WIOA, another entity besides FEMA can declare a disaster and you can apply for NDWGs. So that's what California did.

They were approved in 2015 for up to 31 million. They're funded incrementally, 10 million, 10 million, 10 million. And the goal was temporary employment for 1,000 plus eligible individuals to aid in the cleanup and recovery efforts, the drought mitigation, tree removal, debris, cleaning up irrigation canals that were full of debris, cleaning brush up. They also offered reemployment services to available people as well, to participants.

It was aimed at farmworkers and long term unemployed people in more rural areas. The California EDD partners were Nortec which is a northern California consortium of one stop service providers, and then La Cooperativa of California which is sort of an umbrella organization of the five national farmworker job training program grantees in California which are listed up here, CET, California Human Development, Proteus, and ETR.

And each of those, they found the workers, they recruited local workers with flyers, with their current participant base. Initially the jobs were for six months – (inaudible) – go past 1,040 hours. But under the new WIOA law they were – when the second increment came in, they were able to amend that to make some of these one year positions up to 2,080, which was very helpful. And many of the workers were able to find full time placement.

As you know many farmworkers have a very, very strong work ethic, work very well. So after the 6 or 12 months were up, local municipalities had an opening, or Caltrans, the California highway agency here, was able to pick up quite a few people. So 1,275 individuals were served. As I was just saying, placement happened in local cities, counties, Caltrans, nonprofit agencies. And it was highly successful.

I went on a review with the state staff in July, 2017. We reviewed sites up and down the state. And we really heard nothing but praise. And as I mentioned, the main takeaway of the challenge is recognizing that this was a disaster of a different type. As we mentioned previously, FEMA – 30 inches of rain in Puerto Rico, 24 hours of devastation. But this took five years to build up. But we would read lots of stories. Farmers were taking farms out of production because of lack of water, so then there's less farm work. So some places in the San Joaquin Valley had 40 percent unemployment, just devastated by the drought.

So work with the state, work with your local federal partner, look for other agencies that might be declaring a disaster, in this case, like I said, U.S. Department of Ag. So it was an untraditional approach – (inaudible) – the regulations to a slow happening disaster. But I'm really happy with what happened. And the it just finished at the end of the calendar year, about 95 percent expenditure rate. They really did spend a lot of the money.

It's very helpful and it also helped as a recruitment tool with – (inaudible) – job training providers, that people found out about their services, and cities, and other providers found out that there is an available pool of labor. So I want to thank you for your time. I know we have a lot of information to cover. So thank you very much. And if I see any questions in the chat box, I'll feel free to answer them. Thank you.

MS. SHANNON: Thank you, Krister. Our next presenter is David King. He's a UI program specialist in the Office of Unemployment Insurance with the U.S. Department of Labor. David King, over to you.

DAVID KING: Thanks, Lianna. As Lianna said, my name's David King. I work at the national office, Department of Labor. And I oversee the disaster unemployment assistance program, the UA program. What I hope to do today, I'm going to help you answer the following if you can't already answer these questions.

I'll just briefly talk about what is unemployment insurance, what is the DUA program, and what is the difference between those two programs, who administers the DUA program, who's entitled to DUA benefits, and especially what are the special circumstances that are there for agricultural workers and farmworkers to allow them to participate in the DUA program.

Just some background on DUA activity and particularly what's happened in the past year. This affected agricultural workers and farmworkers. In the past few years, fiscal year 2015, there were a number of disasters, 44 declared disasters as an average amount of activity. Only nine included DUA. And there was only $2.5 million of DUA benefits obligated. The following year, 2016 fiscal year, similar number disasters, $5 million of obligated activity.

Starting in 2017 fiscal year we go up to 60 declared disasters with 21 including DUA, and we jump up to $50 million in obligated DUA benefits. So we see a large increase in activity. And in particular due to the disasters of Harvey, Irma, Maria, California wildfires, of course hit a number of agricultural and farmworkers. So far this fiscal year there have been 22 declared disasters, five with DUA, $3 million obligated. And it's during this fiscal year that all those, Irma, Maria, Harvey disasters are paying those benefits that are obligated, that $50 million.

So starting to answer these questions, so UI benefits, unemployment insurance benefits. Most of you probably know this, but UI, that provides temporary financial assistance for unemployed workers who meet state law requirements. So in a major disaster most people receive UI benefits. They qualify in state law. They're out of work due to the major disaster. They get what we call disaster related UI benefit. So what is DUA then?

Well, DUA is something that's available to provide temporary benefits to individuals whose employment or self-employment is lost or interrupted due to the major disaster and are not eligible for regular unemployment insurance benefits. So these individuals, it's important to note that it's not just because the governor declares that there's a disaster or there's a big storm. This is due to a major disaster declaration, a presidential declaration, that includes DUA benefits.

So in order to qualify for DUA, the individuals in the state they have to first try to qualify for UI benefits. Once the state determines they're not eligible for UI, at that point they will file for DUA benefits. Oftentimes they file at the same time and the determination is made by the state workforce agency which type of claim they may qualify for. So who doesn't quality for UI? Individuals without covered wages don't quality for UI.

But the DUA program may cover these individuals. The types of individuals that often don't have covered UI wages, self-employed individuals, farmers and certain agricultural workers might not qualify for UI, but will qualify for DUA, individuals who don't have enough wages to qualify in the state, or individuals that don't have enough prior employment or any prior employment might qualify for DUA.

So who's administering these programs? Well, the Department of Labor oversees UI programs, which includes the DUA program. And for DUA, the Department of Labor coordinates with FEMA to oversee the DUA program. And then the state agencies administer the actual program of DUA alongside the UI program, acting as agents for the U.S. Department of Labor. All right, so what is a major disaster?

As I started saying, it's a presidential declaration. This is any natural catastrophe, hurricanes, tornados, flooding, regardless of any cause. It could be a fire, flood, an explosion, anything the president determines causes enough damage or severity or magnitude to warrant major disaster assistance. Basically what is determined that the state can't handle by itself, state and FEMA in coordination with the presidential declaration.

So what triggers DUA? So based on the request by the governor, the state governor, a tribal governor or chief, the president would make a declaration. The declaration will define the areas that are affected and authorize for disaster unemployment assistance and other types of federal assistance. At that point public announcements will be made advising of the availability of disaster unemployment assistance of how and where and when individuals can file through the state workforce agency for these benefits.

So who qualifies for disaster unemployment assistance? Individuals have to have at least one of the following qualifications on this slide. They must have a week of unemployment following the date that the major disaster began. Or they need to be unable to reach their place of employment. Or they need to have been scheduled to start work, but they no longer have a job or cannot reach the job. Or they became the head of the household. Or they were injured and can no longer work.

So some of those situations in there are things that normally would not qualify you for UI benefits, but can qualify you for DUA. Then there are also eligibility requirements where you have to meet all eligibility requirements, just like unemployment insurance has a number of eligibility requirements. There are a few that are different for DUA. The main one is that you cannot be eligible for unemployment insurance benefits. You can't get both at the same time.

So as long as you're not eligible for UI, you can get DUA. You must be unemployed as a direct result of the disaster. You must be able and available for work unless injured due to the disaster. You have to file an application within the deadline, the 30 days of the announcement of availability. And you can't refuse a suitable offer of employment.

And there are certain other requirements. The state will define these requirements on how to file for weekly benefits or biweekly benefits. You must submit proof that you were employed, or self-employed, or were going to start work within 21 days of filing your claim. And you must submit proof of wages in order that the state determine how much you can receive in disaster unemployment assistance.

So how much do you get in DUA disaster unemployment assistance compared to UI benefits? Well, disaster unemployment assistance weekly benefit amount is based on your gross wages, your net income if it's self-employment, or your gross wages from regular employment. And instead of a base period from the UI calculation for DUA, we're looking at the prior tax year. So it makes it a little easier for individuals to supply their tax documents from the prior year.

The calculation uses the same type of formula as the state workforce agency uses to calculate UI benefits. However there is a different minimum weekly amount for disaster unemployment assistance. And the Department of Labor national office publishes that every quarter. So it's usually more because it's based on an average, 50 percent of the average of the prior year.

And the length of time you can receive is generally about 26 weeks of benefits is the maximum you can receive in disaster unemployment assistance. It can be longer if there was a delay in the declaration from the president. So if the presidential declaration took an extra month to declare from when the actual disaster occurred, it could be maybe 30 weeks. But it's typically around 26 if it's a timely declaration.

So there are some types of special applicants. And migrant and seasonal workers are one of those special types of applicants. So a migrant or seasonal worker is a farmworker who's presented from their normal planting or harvesting activities. These types of workers may not have even been in the state that the disaster hit.

But they may be eligible for disaster unemployment assistance. So agriculture and other workers, whose normal work depends on moving from these areas, to and from areas, that's a big qualification that we can get them in on to disaster unemployment assistance. One of the problems is how to reach out migrant and seasonal workers.

So one of the other issues with that and the difficulties of the state workforce agencies administering these types of claims is that the duration is only for the period in which the individuals would have missed the work. So if the season is only an eight week season planning or picking season, their eligibility would be more limited than the 26 weeks.

So there's some other special conditions as well for DUA. In some cases self-employed individuals could be substantially impacted even though they're still able to perform some of their customary services. They may plant crops, but also have livestock, so a diversified farmer. You could be eligible for partial payments because you're still doing some of your customary services in self-employment or farming, but still generating some sort of income. Again a slightly more complicated issue for the state workforce agencies to work with those claims. But there are partial benefits that can occur.

So how can you use this information? It'd be good if you can build a relationship with state workforce agencies, the UI and DUA program coordinators. The state workforce agency and FEMA, they need to reach out to these types of individuals. They're issuing press releases about the availability of these programs, about the UI program, and especially the disaster unemployment assistance program, through a press release. And it's hard to reach certain agricultural and especially migrant worker populations. Any information about how to better reach these populations is very beneficial. And getting together, getting a relationship in order to do that would be great.

And any information that could be passed along, there's always a relationship building between agencies in order to share. People are certainly filing for FEMA benefits through disaster recovery centers. But people are filing for DUA benefits and UI benefits through state workforce agencies. So sharing information about other types of benefits for each other is always beneficial. So keeping that door open to talk to each other about how to direct people is very important.

There's a link here about just all the state workforce agencies, how to contact them, how to file for benefits, it's there. And that's all I have. Any questions, put them in there, we'll get to them at the end.

MS. SHANNON: Great. Thank you so much. And now we are moving on to Juan Regalado, the national monitor advocate in the Specialty National Programs Unit with the U.S. Department of Labor. Juan, welcome.

JUAN REGALADO: Thank you, Lianna. Welcome everyone. It's great to see such great turnout for today's webinar. When Lianna mentioned at the beginning of our webinar the objectives for this webinar, she mentioned the fact that they would be to identify what you can do in advance, identify resources and partnerships, and identify next steps.

So thank you, David, you had a great segue into our next presentation which is really the partnerships that you need to establish. And we might be speaking to the choir in a couple of these slides. However because of your resources that you have put together, your farmworker coalitions that you put together, you might find the list that we're going to be talking about in the next two slides and some of the resources that we're going to be sharing with you, you might already have in your communities and your states. But hopefully you can take some pointers from our presentation, definitely from the presentations of our four presenters today, and hopefully with the next slides as well.

So the next step in your plan is even before – Minerva, I think we hear from most of our presenters – what takes place before the disaster. Lianna also shared with you all a copy of the map, then you can see the disasters, and you all know this, can take place any time anywhere in the nation. So in reaching out to your partners and developing your farmworker coalitions, there's a list of those organizations that you can reach out to. And we talked about unemployment insurance, the UI. Thank you, David. That was great information.

You heard from Krister – (inaudible) – in the western states, and speaking about the dislocated worker grant. And reaching out to these folks at the federal level, reaching out to the state government resources, we heard from Minerva, the state monitor advocate in Florida. We also heard from the federal side, David Marin from Wage and Hour, how do we connect more with Wage and Hour, because they are a great resource. So at the state level, the state monitor advocates.

First responders, Minerva mentioned the state emergency operations centers, reach out to those folks. Local government resources, we don't have it here, but Lianna already mentioned our national farmworker jobs program grantees., the American job centers, definitely outreach workers from all these organizations. They can be your first responders. And again this is in preparation as you develop your disaster plan. And other non-governmental organizations such as the Red Cross, any legal aid organizations, Minerva mentioned.

And we heard it in the last webinar as well, mental health organizations that you can reach out to make sure that as you develop your disaster plan and you reach out to these folks, you begin to identify the POCs within each of these organizations. And you begin to make presentations. We heard a little bit about that, about your different organizations, services to our migrant seasonal farmworkers. Make sure you begin to do that as you develop your plan and as you're putting your plan together.

And it was interesting to hear – (inaudible) – that could be another takeaway of the contingency plans that you must have and the components of your plan that will include deployment strategies, as we heard from Minerva in Florida. And then after once you start developing your plan, look at as a follow up in how to plan working – it could be that due to emergencies you might not be following your plan, you might have to deviate from it. But always keep in mind of where it is, and definitely your POCs for each of your organizations.

This disaster plan that we've been talking about, and you'll see some of the resources that we talk about at the end, some of you might already have one in place, but make sure you modify your plan according to maybe some of the takeaways from today's webinar. And this is not all-inclusive. Again because we heard about housing assistance, the deployment [inaudible], drafting urgent needs as part of this plan that you're putting together. And we heard in the last webinar on the staff needs and the well-being of your staff before you can even do anything else. Because in some cases, as we saw last year in some of the disasters, that also affected our staff on the local levels and the state level.

So then talk to your participants, your customer base, your farmworkers, knowing what the – a couple of the questions that you ask, how many farmworkers were affected by the disaster. Get to know your – definitely for those organizations, because I saw one of the questions asking about what is an MSFW, a migrant seasonal farmworker, get to know your state monitor advocates. Because then in some cases they are also part of those state emergency operations centers, as Minerva mentioned earlier in her presentation. Any services that might be – we might not have thought about them in the past, such as again this was also covered in the last webinar, but mental health and trauma services that we can provide to families, to farmworker families that might be affected by a disaster, definitely including the farmworker families.

This is a disaster impact survey that one of our grantees, the motivation and education and training incorporated (ph) met from Texas area developed, and reaching out to their – and again these surveys you can download as part of our webinar. It's to reach out to your staff, to reach out to your farmworkers. The next one is for families as well, reaching out to your families in the areas. And this can be done either as part of your plan prior to the disaster or as you're developing your plan, or after the disaster to survey the needs that are out there for your communities.

One of the other documents that – (inaudible) – has shared with us, and I want to thank – (inaudible), I believe they're on the webinar today, for sharing these documents, is the emergency phone tree. Have that available and make sure that everybody's aware of who they're going to be contacting, definitely as you work with your different organizations.

And as I mentioned earlier, we might be talking to the – preaching to the choir in some cases in some of your states. But as you strengthen your partnerships, this might be a great idea to make sure that you include the phone numbers and the contact information for your POCs. We heard how some of the – I think Minerva mentioned the fact that they have conference calls. Make sure you have the necessary information in emergency phone trees. That can assist you in reaching out to your POCs.

Other helpful tips, and I hope again some of the takeaways from our presenters, you've heard quite a few ideas and suggestions on what they did and the lessons learned. And again this is not an inclusive list, but the buddy system, what we talk about here is you might be in a different place when the disaster happens, so you might be in another state. In some cases as we found out last year, I believe we were at the – (inaudible) – conference with folks from Puerto Rico when the hurricanes were going through the island there.

But have a system when you can connect periodically with other folks within your organizations or within your group if you're in a different place. And we heard from – (inaudible) – I believe the end of last webinar, the mobile administrative offices, have a place where you can all gather and maybe you can reach your office because of the disaster.

But you can have within your plan built in to have a place where everybody can come together and make sure that your payroll is taken care of, make sure that you deploy your disaster plan. So reach out to your American Red Cross centers, they have some response kits and preparation kits that you might want to incorporate in the resources that you have in your local areas and your local centers.

And I'd like to ask you if you have others – Sabrina, thank you, drones to deliver supplies? That's a great idea. Any other suggestions, please type them in so we can capture them and later on we can share them with you as part of other helpful tips that we can provide to you. The resources such as David shared with you on the career one stop website, here are a few more that you can research and make them part of your plan, such as the disaster response plan that – so ready.gov, where they can provide – they have a campaign designed to educate and empower the folks that need this type of information, FEMA for instance emergency and response plans.

They can provide you a 10 page document, especially I think Minerva mentioned how we're trying to assist our agricultural employers because oftentimes we talk about our farmworkers, but we also have our agricultural employers that we sometimes need to respond to and assist, how can we provide also assistance to our agricultural community and FEMA. Make sure you keep in touch with the FEMA representative in your local area, also has a few resources available also.

The CDC emergency partners information centers also would be a great organization and a great resource to include in your plan. NIOSH, it's again for businesses, but also you might find some great information there for your – that you can use local representatives from NIOSH. And then the disasterassistance.gov website, I've shared that with all of you during our teleconferences in the aftermath of the disasters.

So there's a long list of resources just alone in the disasterassistance.gov website. USDA, we often talk about, and David Marin mentioned the Wage and Hour challenges in Puerto Rico. So we have Wage and Hour – no, we have USDA. So USDA can provide resources also during the aftermath of disasters, and again include them as part of your plan. And of course HUD, for housing assistance, we do have housing assistance through our national farmworker jobs program grantees. However HUD will also be a great resource to have as part of your plan.

And that's my part of the presentation. I'll turn it over to Lianna at this time.

MS. SHANNON: Great. Thank you, Juan. And so if there are any more questions, please feel free to add them to the chat box. At this time I would like to turn over our first question to David King. The question is, can the assistance be extended due to lack of infrastructure?

DAVID KING: OK. So regarding the number of weeks of disaster unemployment assistance, those weeks cannot easily be extended except by congress. The last extension of benefits was the Katrina Emergency Assistance Act of 2006, which gave I believe 13 additional weeks of disaster unemployment assistance due to Hurricane Katrina. I believe there is a proposal to give additional – possibly give additional weeks of benefits due to Hurricane Maria and Irma for Virgin Islands and Puerto Rico, is possibly being looked at in congress. But it literally would take an act of congress to get additional weeks.

Now there are extensions that the Department of Labor can give to the deadlines for submitting documents or filing applications. And we've given a number of those due to the catastrophic disasters occurring this year. I believe we gave 90 day extensions for filing deadlines due to Maria and Irma, for Puerto Rico, for Virgin Islands. Gave at least a 30 day extension for Texas for Hurricane Harvey for filing, for documents, present documents. So there are those types of extensions we do give frequently.

MS. SHANNON: Thank you. And we have a couple more questions for you as well. The next one is, how do the DUA benefits get monitored? Who monitors the DUA benefits?

MR. KING: The state workforce agencies, they submit reports of course. They have monthly reporting, quarterly reporting. And we also ask for even more frequent reporting. And they report directly to the U.S. Department of Labor regional offices who directly monitor the disasters. The national office also is monitoring the funding of the disasters in coordination with FEMA to make sure there's enough funds in the states to cover the benefits and the administration of disasters. The regional offices and sometimes the national office go on site.

And we usually within a couple months of a larger disaster, we will often go on site and monitor how things are going, look at case work, look at how it's being administered, and give suggestions on how to improve.

In some cases where there isn't a good program or isn't any program, for example there was a disaster in American Samoa four or five months ago and they don't have an unemployment insurance program. We needed to get them all manual forms and actually send people out there. So the regional office, U.S. Department of Labor regional office went out there with forms, training, and taught their department of human resources how to administer a DUA program, and set them up on how to do that. So that's how we monitor that.

MS. SHANNON: Great. Thank you. And one more question for you, I know we have several, but I'm just going to touch on this one for now. Can DUA claims be filed in two different states one after another?

MR. KING: One at a time, for sure. It's probably not likely. There are circumstances where there have been back to back disasters. A claimant may be out of work due to for example Hurricane Irma hits and they're out of work for one or two weeks. And then the next week Hurricane Maria hits, they go back to work, they're out of work due to Hurricane Maria.

They may file under one disaster for one week and then turn right around and file under Hurricane Maria for 26 weeks or more. So that could happen. Under multiple states it's not likely because they're going to be living, residing, traveling through, or working in probably one place, one county, and one state. Most likely they would be affected. It's possible they could be traveling across state lines and they may have been affected differently by multiple disasters or the same disaster differently.

But they'll usually be established on one disaster and that's the disaster they'll stay on. It is possible when there's back to back disasters. They could start on a disaster, go back to work, and get on the next disaster though.

MS. SHANNON: OK. Thank you. And Juan, could you address this next question. The question is, what is NIOSH?

MR. REGALADO: Thank you, Lianna. And I apologize, we often use acronyms, and sometimes we forget about the fact that I – (inaudible) – spell them out. The National Institute for Occupational Safety and Health.

And what it is, is the OSHA, the Occupational Safety and Health Act of 1970 established NIOSH as a resource agency focused on the study of worker safety and health, and empowering employers and workers to create safe and healthy workplaces. So it's just another agency that you can reach out to that can provide assistance. And mostly like their name says it, safety and health. But it's a great resource to reach out to and make sure that they can provide you assistance at the state level or local level.

MS. SHANNON: Thank you. And here is another question for David King. Do DUA applicants have to serve a waiting period week as regular UI applicants?

MR. KING: Not a traditional waiting week, like most UI programs will have a full, first full week you qualify, they'll hold that week and not pay. All the weeks of the disaster assistance period are payable. The first payable week of the disaster assistance period however is the first week after the incident.

So the week of the hurricane hitting, actual disaster assistance won't start until the week after that. So in a way that's kind of a week of waiting, that if it strikes on a Monday, the disaster assistance period will start the following Sunday, typically the unemployment week starts on a Sunday. So in that way it kind of is, but all weeks of the disaster assistance period are payable.

MS. SHANNON: Great. Thank you. And Juan, this is a question for you. I'm also happy to answer it, so just let me know. The question is, for the MSFW, migrant seasonal farmworker population, is the disaster impact survey available in Spanish?

MR. REGALADO: That's a good question. I believe it is, but let me check with our – (inaudible) – folks. Or if a – (inaudible) – representative is on the webinar, if you would like to respond in the chat room that would be great. But I will check. If we do have it, we'll make sure that we send it out to today's participants.

MS. SHANNON: Great. Thank you. Another question for David King. What is the highest WBA paid by DUA in California?

MR. KING: It would be whatever the maximum UI benefit in California is, which I believe someone said was $450, which matches my comparison to state unemployment insurance laws, 2017 book. So that would probably be 450. So whatever the highest UI is. So it would follow UI calculation for the max. But as I said, there is a different minimum for DUA which is higher than the state minimum that we publish quarterly. But the maximum would match the maximum UI, the state's UI.

MS. SHANNON: Thank you. And a question for Juan. What is READY, the organization READY?

MR. REGALADO: So again it's another resource that you can reach out to. The website is ready.gov. It is basically, what it is is a portal for a lot of the resources. I know we've shared quite a few, the disaster.gov, and now this additional one, ready.gov. But it talks about, again provides information on how to prepare and how to plan ahead. So it's a great resource. And it has information regarding flooding, hurricanes. And we talked about California, the disasters hitting California with the drought.

And then soon after, almost immediately after that we had the flooding in California. So this ready.gov provides information on flooding, hurricanes, even volcanos. I'm looking at their website right now, so tornados. So take a look at it. It's a very good resource also to have within your plan, and to make sure that when you meet with your organizations and you strength your coalitions, to also include this as a resource.

MS. SHANNON: Thanks, Juan. Now another question for David King. Do undocumented workers qualify for DUA?

MR. KING: DUA, with most federal programs, it's only available for U.S. citizens, U.S. non-citizen nationals, or qualified aliens, under the U.S. Immigration Nationality Act. So anyone who's not a U.S. citizen, the state workforce agency is going to run it through the alien verification system, and check status, and do a verification. So you need to have a – be a qualified alien, which is primarily a legal permanent resident, a green card holder, or there are some other types of refugees, asylees, and certain conditional types of aliens like that.

MS. SHANNON: OK. Great. Thank you. And I saw that we have a question come in about contact information for one of our presenters. And I just want to let everyone know that we will be putting up everyone's contact information at the end of the webinar. So you'll be able to see that. And also if you download the PowerPoint presentation, you'll be able to access that information. The next question is, do H-2A workers qualify for DUA?

MR. KING: That might be beyond my – whether or not H-2A might be beyond my immigration knowledge. So I'd have to do research on that one.

MS. SHANNON: No problem. Thank you. Are there any other questions? I'll just give you a moment. Well, that looks like all the questions. So as I promised, here is the contact information for your presenters. We have Minerva Figueroa and David Marin's contact information. And then we have several slides with more contact information. We've got Krister Engdahl and David King. And then we have Juan Regalado. And again all of this information is located in the PowerPoint presentation, which you can download from your screen. It will also be accessible on the WorkforceGPS website.

And that concludes our presentation, our webinar, part two of our two part series on disaster preparedness and response, serving farmworkers. I hope that you all found the presentation to be informative, and you have some next steps moving forward to contact different organizations, find out the POC, the point of contact in those organizations, make presentations with those potential partner agencies so that they can understand how it is that you serve farmworkers, and how you might be able to work together if a disaster strikes, and you can be prepared for that.

Come up with that plan with these new partners. Follow up on those plans. Make sure that in the future the same POCs are there. And start, if you haven't already, start drafting your disaster preparedness plan using all the different resources that have been mentioned today. And of course please come back, look at the webinar, look at the PowerPoint, and feel free to reach out to your presenters if you have any other questions.

So thank you so much. And have a wonderful day.

(END)