



Workforce Issuance

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☒ Policy ☐ Information

To: MassHire Workforce Board Chairs
MassHire Workforce Board Directors
MassHire Career Center Directors
MassHire Fiscal Officers
MDCS Operations Managers

cc: WIOA State Partners

From: Beth Goguen, Director
MassHire Department of Career Services

Date: March 11, 2025

Subject: **Migrant Seasonal Farmworker Requirements Under WIOA**

Purpose: To provide policy guidance and clarification to MassHire Workforce Boards (MWB), MassHire Career Center (MCC) operators and other workforce system partners on the responsibilities of serving Migrant and Seasonal Farmworkers (MSFW).

This policy has been revised to include the updated definition of Migrant Seasonal Farmworkers, ensuring consistency with recent training sessions and federal regulatory citations.

Background: The Workforce Innovation and Opportunity Act (WIOA) and Wagner-Peyser (W-P) regulations establish that each MassHire Career Center (MCC) must offer MSFWs the full range of career and supportive services, benefits and protections, and job and training referral services as are provided to non-MSFWs.

In providing such services, MCC offices must account for individual MSFW preferences, needs, skills, and the availability of job(s) and training opportunities, so that MSFWs are reasonably able to participate in services. This

includes ensuring that MSFWs have access to these services in a way that meets their unique needs.

MSFWs must receive services on a basis which is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs.

Policy: MassHire Career Centers must determine whether participants and reportable individuals are MSFWs in accordance with the regulations (see Attachment A, Desk Reference) and ensure they are appropriately identified in MOSES (see Attachment B, MSFW and MOSES Data Collection).

MCCs will ensure that all MSFWs with limited English proficiency (LEP) receive, free of charge, the language assistance necessary to afford them meaningful access to available programs, services, and information.

Each MCC must provide MSFWs a list of available career and supportive services in their native language.

MCCs must refer and/or register MSFWs for services, as appropriate, if the MSFW is interested in obtaining such services. If or after referrals are made to other appropriate services, MCC staff must conduct follow-up and document the results in MOSES.

MCCs must make job order information visible and available to MSFWs by all reasonable means. Such information must, at a minimum, be available through web-based systems, posted at the MCC or in writing as needed. MCCs must provide adequate staff assistance to MSFWs to access job order information easily and efficiently.

MCCs must identify (in MOSES) MSFWs in accordance with 20 CFR 653.109 to then allow for career services data collection specified in WIOA Title I Sec. 134(c)(2)(A)(xii). (See Attachment B, Migrant and Seasonal Farm Worker Data Collection in MOSES).

MCCs are encouraged to provide activities to serve MSFWs and agricultural employers in their respective local areas to align with the population and labor market as described in the Local Annual Plan, ([MassWorkforce WIOA Local Plan Guidance Policy Issuances | Mass.gov](#)). To do so, MCCs may collaborate with MDCS outreach staff and local agricultural industry partners regarding the agricultural characteristics and specificities related to the MSFW local job market.

National Farmworker Jobs Program (NFJP) Partnership Requirements

In those local workforce areas where the grantee operates its NFJP, the grantee is a required partner of the local MassHire system. The grantee and the Local Board must negotiate as part of the local MOU, the provision of services and set forth their respective responsibilities for making the full range of services available through the MassHire system available to farmworkers.

In local areas where the NFJP grantee does not operate but there is a large concentration of MSFWs, the local Board and NFJP grantee may consider the availability of electronic connections and other means for participation in the workforce system in that area in order to serve those individuals.

Local MOUs must provide appropriate and equitable services to MSFW's and may include costs of services to MSFWs incurred by the career center(s) that extend beyond Wagner-Peyser funded services and activities.

Action

Required: Each local MassHire Workforce Board will ensure that MassHire Career Center staff are informed of the content of this issuance and ensure that MSFWs and agricultural employers receive the services, benefits and protections afforded to them by the WIOA and Wagner-Peyser requirements.

Effective: Immediately

Inquiries: Please email all questions to PolicyQA@mass.gov. Also, indicate Issuance number and description.

Attachments: A: MSFW Desk Reference
B: MSFW –Data Collection in MOSES