

Mass Workforce Issuance

100 DCS 08.105

☒ Policy ☐ Information

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: September 19, 2016

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

Purpose: To provide policy guidance and clarification to Workforce Development Boards (WDB), One-Stop Career Center (OSCCs) operators and other workforce system partners on the responsibilities of serving Migrant and Seasonal Farmworkers (MSFWs).

Background: The Workforce Innovation and Opportunity Act (WIOA) and Wagner-Peyser (W-P) regulations establish that each One-Stop Career Center (OSCC) 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, the OSCC offices must consider and be sensitive to the preferences, needs, and skills of individual MSFWs and the availability of job and training opportunities. 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: One-Stop Career Centers must determine whether or not participants are MSFWs as per the regulations (see Attachment 1, Desk Aid) and ensure they are appropriately identified in MOSES (see Attachment 2, MSFW and MOSES Data Collection).

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

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

OSCCs 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, OSCC staff must conduct follow-up and document the results in MOSES.

OSCCs must make job order information conspicuous and available to MSFWs by all reasonable means. Such information must, at minimum, be available through web based systems, posted at the OSCC or in writing as needed.

OSCCs must provide adequate staff assistance to MSFWs to access job order information easily and efficiently.

OSCCs must collect (in MOSES) career service indicator data specified in WIOA Title I sec. 134(c)(2)(A)(xii) and 20 CFR 653.109 (see Attachment 2, MSFW and MOSES Data Collection).

Action

Required: Each local Workforce Development Board will ensure that Career Center staff is 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/Wagner-Peyser requirements.

Effective: Immediately

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

Attachments: A. MSFW Desk Aid
B. MSFW and MOSES Data Collection