



Migrant and Seasonal Farmworker Desk Aid

Keep these things in mind when servicing MSFWs;

1. American Job Center (AJC) employee who processes applications for agricultural workers shall maintain a copy of this desk aid.
2. You or the applicant must select (in MOSES) one of the categories of MSFWs
3. MSFW applicant must receive a copy of the terms and conditions of employment (WH 516) and a list of AJC services.

For more information contact:

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Seasonal Farm worker	Shall mean a person who, during the preceding 12 months, worked at least an aggregate of 25 or more days or part of days in which some work was performed in farm work, earned at least 50% of his / her earned income from farm work, and was not employed in farm work year round by the same employer. For the purposes of this definition only, a farm labor contractor is not considered an employer. Non-migrant individuals who are full-time students are excluded.
Migrant Farm worker	Is a seasonal farm worker who had to travel to do the farm work so that he/she was unable to return to his/her permanent residence within the same day. Full-time students traveling in organized groups rather than with their families are excluded.
Migrant Food Processing Worker	Shall mean a person who, during the preceding 12 months, has worked at least an aggregate of 25 or more days or parts of days in which some work was performed in food processing, (as classified in the NAICS under 311611, 311612, 311613, 311615, 311411, and 311421 food processing establishments), earned at 50% of his / her earned income from food processing work, and was not employed in food processing year round by the same employer, provided that the food processing required travel such that the worker was unable to return to his / her permanent residence in the same day. Migrant food processing workers who are full-time students but who travel in organized groups rather than with their families are excluded.

MSFW IDENTIFYING FACTORS

Identifying Factors	Explanation		
Industry Requirement	Farm work or Food Processing		
Rolling Time Frames	12 months prior to current visit		
Income Guidelines	50% of all wages earned from farm work or food processing		
Minimum 25 days	25 days Farm Work or Food Processing during the preceding 12 months		
Employer Requirement	Multiple Employers		
Full time student	Only students who migrate with their families		
Seasonal	Migrant	Migrant Food Processor	
Meets all of the above identifying factors	A <u>Seasonal Farmworker</u> who had to travel to perform farm work and was unable to return to his / her permanent residence within the same day.	Meets all of the above identifying factors and primary work experience must be in food processing and was unable to return to his / her permanent residence within the same day.	

MSFW shall mean a migrant, a migrant food processing worker, or a seasonal farm worker.

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