

MSFW IDENTIFICATION CHART

| <i>Seasonal Farmworker</i> | <i>Migrant Farmworker</i> | <i>Migrant Food Processing Worker</i> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ✓ A person who during the preceding 12 months worked at least an aggregate of 25 or more days or parts of days in which some work was performed in farmwork, | ✓ A seasonal farmworker who had to travel to do the farmwork | ✓ 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 |
| ✓ Earned at least half of his/her earned income from farmwork, and | ✓ So that he/she was unable to return to his/her permanent residence within the same day. | ✓ Earned at least half of his/her earned income from processing work and |
| ✓ Was not employed in farmwork year round by the same employer. | ✓ <i>Full-time students</i> traveling in organized groups <u>rather than</u> with their families are excluded. | ✓ Was not employed in food processing year round by the same employer, |
| ✓ For the purposes of this definition only, a farm labor contractor is not considered an employer. | | ✓ Provided that the food processing work required travel such that the worker was Unable to return to his/her permanent residence in the same day. |
| ✓ <i>Non-migrant</i> individuals who are <i>full-time students</i> are excluded. | | ✓ Migrant food processing workers who are <i>full-time students</i> but who travel in organized groups rather than with their families are excluded. |
| | | (As classified in the North American Industry Classification System (NAICS) 311411, 311611, 311421 for food processing establishments), |

Agricultural worker means a worker, whose primary work experience has been in farmwork in industries with a North American Industry Classification System (NAICS) 111, 112, and 115 (excluding the following codes: 1125 (under 112) and 1152 and 1153 (under 115)), whether alien or citizen, who is legally allowed to work in the United States.

MSFW means a migrant farmworker, a migrant food processing worker, or a seasonal farmworker.

Things to remember when providing services to MSFWs;

1. Every OSCC shall determine whether or not applicants are MSFWs as defined above.
2. If customer indicates that they worked in agriculture, don't forget to select (in MOSES) one of the MSFWs categories.
3. Registrations shall be reviewed periodically by the local office manager / supervisor to ensure their accuracy and quality.
4. MSFW applicant must receive a list of services available at the OSCC (including Limited English Proficient (LEP) customers)
5. For any customer referred to an agricultural job, disclose the full terms and conditions of employment listed on the job order.

For additional information contact:

José V. Ocasio
 State Monitor Advocate / FLC Supervisor
 Department of Career Services
 19 Staniford St, 1st Fl.
 Boston, MA 02114
 Phone: (617) 626-5587 / E-mail: jocasio@detma.org