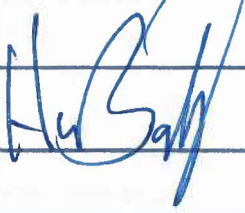
	New Jersey Workforce Innovation Notice		WD-PY19-15.1
	Issued By:	Workforce Development Division of Career Services	
	Approved By:	Hugh Bailey, Assistant Commissioner Workforce Development	
	Issued Date:	July 20, 2020	

1. **SUBJECT:** Migrant and Seasonal Farmworkers (MSFW) Outreach During the COVID-19 Pandemic
2. **PURPOSE:** To provide guidance to Local Workforce Development Boards, One-Stop Career Centers (One-Stops), and the MSFW system, regarding the delivery of outreach services to MSFWs during the COVID-19 pandemic.
3. **EFFECTIVE DATE:** This NJWIN is effective June 2, 2020.
4. **BACKGROUND:** On March 9, 2020, Governor Phil Murphy declared a State of Emergency and a Public Health Emergency to ramp up New Jersey’s efforts to contain the spread of COVID-19. The Governor subsequently issued an Essential Services and Revised Gatherings Order requiring all businesses and organizations that do not provide “COVID-19 Essential Services” to close their physical workplaces and facilities to workers, customers, and the public. On May 18, 2020, the Governor unveiled a multi-stage approach to execute a strategic economic restart for New Jersey, including easing restrictions related to non-essential businesses and activities. Non-essential activities, including outreach work, are allowed at physical locations, if they meet safeguarding and modification guidelines.
5. **POLICY:** This policy expands upon recommendations outlined at the New Jersey Department of Labor and Workforce Development (NJDOLE) site: NJDOLE and the Coronavirus (COVID-19): What Employers & Businesses Should Know which can be found at: <https://www.nj.gov/labor/employer-services/business/covid.shtml>.

During the COVID-19 pandemic, Workforce Development Boards and Employment Services Offices’ MSFW Outreach workers are to provide virtual and in-person outreach services while following the safety protocols outlined in the procedures detailed within this NJWIN. For example, outreach services may be provided at a MSFW’s place of employment, such as farms and nurseries, and other gathering areas such as events conducted by health and education community centers. Any such outreach activities are to be documented in MSFW Outreach Monthly Logs and America’s One Stop Operating System (AOSOS).

The NJDOLE will continue to monitor and comply with applicable Federal law and Uniform Guidance, Centers for Disease Control and Prevention (CDC) recommendations, and Department of Health (DOH) issued guidance to promote the health and safety of workers and the public.

6. PROCEDURE:

- 1) **Outreach Plan:** Outreach workers are to provide their supervisor with their outreach plan listing the names and addresses of all camps, employers, seasonal dwellings and community resources they intend to visit as well as the reason for the planned visit prior to conducting any in-person site visits. This plan is to include the date and time as well as an estimate of the time to be spent at each location and intended purpose of the visit. Further, outreach workers are to provide their supervisors with read privileges to their Outlook calendars and ensure that their calendars are consistent with their daily activities.
- 2) **Employer Permission:** Outreach workers must obtain growers' (farmers') permission prior to entering farms or labor camps. If unable to secure advance permission, outreach workers are to inform their supervisor.
- 3) **Personal Protection Equipment (PPE):** Outreach workers must wear face coverings both while working at a NJDOL site and when conducting outreach.
- 4) **Travel Restriction:** Outreach workers must travel alone to any supervisor-approved MSFW outreach. No car-pooling is allowed.
- 5) **Six-Foot Distancing:** Outreach workers must maintain a six-foot distance from others when conducting outreach in labor camps or visiting employers to drop-off materials. All physical contact is to be avoided.
- 6) **State Identification (ID):** Outreach workers must display on their person their State-issued, NJDOL photo ID while conducting outreach activities.
- 7) **MSFW Living Units/Dorms, etc.:** Outreach workers are NOT to enter worker living units. Any registration activities, delivery of Employment Services and/or distribution of COVID-19 information must be conducted outside of farmworker living units while maintaining a six-foot distance.
- 8) **Outreach Materials:** Outreach workers must secure outreach materials in advance of visits and place the materials in the provided clear plastic bags. When gathering written information, outreach workers are not to share or borrow writing utensils such as pens with coworkers, farmers, or MSFWs.
- 9) **Wellness Self-Monitoring:** If an outreach worker suspects that they may have been exposed to COVID-19 or are experiencing other symptoms of being sick while conducting outreach activities, they are to notify their supervisor immediately and seek appropriate medical care.
- 10) **COVID-19 Safety Protocols:** When reporting to a NJDOL site to conduct activities (e.g., make copies of documents or obtain outreach materials), outreach workers are to adhere to safety protocols:
 - When using cleaning and disinfecting products, workers should always read and follow the manufacturer's directions. Any allergies prompted by the use of cleaning and/or disinfecting products are to be immediately reported to the worker's supervisor.
 - Regularly clean and disinfect high-touch surfaces such as workspaces, cubicles and other office areas used by the worker. This includes frequently surfaces and objects such as a desk, chair, phone, printer, keyboard and computer mouse.

- Regularly clean vehicles used for State business, paying particular attention to frequently touched surfaces and objects such as door handles, window buttons, steering wheels, locks, arm rests, seat cushions, buckles, gear shift, center consoles, music stations, and seatbelts.
 - Always wear PPE when out in public. It is recommended outreach workers throw away gloves after each cleaning and wash their hands regularly with soap and water for at least two minutes. When soap and water are not available, workers are encouraged to use an alcohol-based hand sanitizer.
7. **REQUIRED ACTION:** Supervisors are responsible for ensuring that all MSFW outreach workers are informed of- and well versed-in the content of this NJWIN. Written acknowledgement of receipt, such as an email from the outreach worker to the supervisor, is recommended.
8. **QUESTIONS:** For any questions regarding this guidance, please contact Patricia Robertson (patricia.robertson@dol.nj.gov), State Monitor Advocate (SMA), at 609-306-0199.

ADDENDUM: MIGRANT AND SEASONAL FARMWORKERS (MSFW) OUTREACH DURING THE COVID-19 PANDEMIC POLICY

NJWIN POLICY NUMBER: WD-PY19-15
RELEASE DATE: JUNE 2, 2020

ADDENDUM NO: A1

1. **Addendum Purpose:** This policy addendum updates policy set forth in WD- PY 19-15 instructing NJDOL MSFW Outreach Workers to provide both virtual and in-person outreach services while following safety protocols. Outreach policy updates are in response to guidance released by USDOL ETA Guidance- *COVID-19 Frequently Asked Questions* regarding the provision of outreach services to MSFWs.
2. **Allowable MSFW Outreach Activities:** The State Workforce Agencies (SWA) must continue to provide the full range of employment and training services to MSFWs during the COVID-19 pandemic. In order to be in compliance with Federal requirements, MSFW outreach workers may provide virtual outreach services to MSFWs, including calling, texting, or emailing agricultural employers and farmworkers to relay the availability of services. Outreach staff may also utilize local radio and television stations to share pertinent information on job opportunities, safety, and protections, as well as local services and advisories. Virtual outreach may also include referrals to supportive services, such as to food pantries, health clinics, and farmworker advocacy groups that may be able to assist the migrant and seasonal farmworkers. MSFW outreach workers may, in compliance with safety guidelines set forth in WD PY-15, provide in-person outreach services including the distribution of information (e.g. Know Your Rights Pamphlets, OSCC Services handouts, etc.) regarding employment and training services, labor rights and complaint procedures, and referrals to supportive services. All in-person outreach must be approved by Outreach Supervisors prior to outreach worker on-site visit(s).
3. **Procedure Update:** Outreach workers must submit a completed outreach plan/schedule, listing the type of outreach to be provided to MSFWs, including all virtual and/or in-person activities. Outreach contacts must include the names, telephone numbers, email addresses or physical locations of farms, farmers/growers and farmworkers. Virtual outreach events must also be documented, including all online platform sessions (Zoom, Skype, Facebook Live, etc.). The outreach plan/schedule can be added to/combined with the Outreach Daily Logs required in 20 CFR 653.107, which state that outreach workers must maintain complete records of their contacts with MSFWs and the services they perform, including the number and name of contacts (if available), and services provided (e.g. whether a complaint was received, requests for career services made, or a referral made.) Outreach plans/Daily logs must be sent monthly to the ES office manager and maintained on file for at least 2 years. In compliance with 20 CFR 653.107, ES managers must email a monthly summary report of outreach efforts to the SMA. Outreach monthly reports, including outreach plans, must be emailed to the SMA no later than the 5th of each month for outreach activities occurring during the previous month.

4. **Employer Permission Update:** If MSFW outreach workers conduct on-site outreach, they are not required to obtain growers' (farmers') permission prior to entering farms or labor camps.
5. **Policy Addendum Effective Date:** This policy addendum shall become effective as of today, July 7, 2020, and remain in effect until the Governor ends the Public Health Emergency declared during the COVID-19 Pandemic.