

## Changes to Migrant and Seasonal Farmworkers Report, ETA Form 5148

<i>Original Line</i>	<i>Change</i>
<b>Services to Migrant and Seasonal Farmworkers Reports (Part 1)</b>	
A. Outreach Services	<i>No change</i>
3. Number of (outreach) Staff Days by ES Staff	<i>Deleted</i>
4. Number of MSFW Contacts made by Cooperating Agency Staff	<i>Deleted</i>
B. Monitoring System (Reviews by State / Federal Staff)	<i>Revised:</i> Monitoring System (Federal and State monitoring reviews)
C. Apparent Violations	<i>Part C deleted in its entirety</i>
D. Agricultural Clearance Orders	<i>Revised:</i> C. Agricultural Recruitment System for U.S. Workers (ARS)
	<i>Added before line 1:</i> Total number of agricultural job orders placed at the local level (sum of 1 and 2)
1. Total number of local agricultural orders placed	1. Total number of Agricultural job orders placed at the local level, not attached to an H-2A application.
	<i>Added below line 1:</i> a. Interstate (number of local agricultural job orders placed into intrastate clearance)
	<i>Added below line a:</i> b. Interstate (number of intrastate clearance orders placed into interstate clearance process)
2. A. Intrastate Total number of clearance orders not attached to H-2A applications –	<i>Renamed:</i> 2. Total number of agricultural job orders placed at the local level, attached to an H-2 application
	<i>Added below line 2:</i> a. Total number of clearance orders attached to an H-2A application placed into the clearance system (both intrastate and interstate)
3. Total Number of Workers Referred	<i>Renamed:</i> 3. Total Number of U.S. workers referred to all local agricultural job orders and clearance orders.
4. A. Total number of workers placed	<i>Renamed:</i> 4. Total number of U.S. workers placed on all local agricultural job orders and clearance orders.
5. Total number of job orders with U.S. workers placed	<i>Renamed:</i> 5. Total number of clearance orders with U.S. workers placed
8. Number of Violations referred to Enforcement Agency	<i>Renamed:</i>

	8. Number of field checks on which violations were referred to an enforcement agency.
E. Complaint System	<i>Renamed:</i> D. Complaint System
1. Total complaints received	<i>No major change</i>
a. MSFW, ES-related	<i>Renamed:</i> a. MSFW, ES-related against the employer
	<i>Added below line a:</i> b. MSFW, ES-related against the local employment service office
b. MSFW, Employment-Related Law	<i>Renamed:</i> c. MSFW, employment-related law
c. Non-MSFW, ES-related	<i>Renamed:</i> d. non-MSFW, ES-related against the employer
	<i>Added below line d:</i> e. non-MSFW, ES-related against the local employment service office
d. Non-MSFW, Employment-Related Law	<i>Renamed:</i> f. non-MSFW, employment-related law
2. Type of complaints	<i>Renamed:</i> 2. Types of complaints
a. Employment Service Related	<i>Deleted</i>
b. Against Local Employment Service Office	<i>Deleted</i>
c. Against Employer	<i>Deleted</i>
d. Alleged Violations of Employment Service Regulations	<i>Deleted</i>
e. Wage Related	<i>Renamed:</i> a. Wage related
f. Housing	<i>Renamed:</i> b. Housing
g. Child Labor	<i>Revised:</i> c. Child labor
h. Pesticides	<i>Revised:</i> d. Pesticides
i. Working Conditions	<i>Deleted</i>
j. Health / Safety	<i>Revised:</i> e. Health / safety
k. Migrant and Seasonal Agricultural Worker Protection Act (MSPA)	<i>Deleted</i>
l. Discrimination Other	<i>Renamed:</i> f. Discrimination
	<i>Added below line f:</i> g. Transportation
m. Disability / Discrimination	<i>Deleted</i>
	<i>Added below line g:</i> h. Trafficking
	<i>Added below line h:</i> i. Sexual harassment / coercion / assault

	<i>Added below line i:</i> j. Other (specify)
2. Total number of MSFW complaints resolved	<i>Renamed:</i> 3. Total number of MSFW complaints resolved at the local level
4. Total Number of MSFW ES-related Complaints Referred	<i>Deleted</i>
5. Total Number of MSFW Employment-Related Law Complaints Referred	<i>Deleted</i>
5. Total number of MSFW ES-related complaints unresolved after 45 days	<i>Revised:</i> 4. Total number of MSFW ES-related complaints unresolved after 45 days
	<i>Added below section D:</i> E. Apparent Violations
	<i>Added below section D heading:</i> 1. Total number of apparent violations
	<i>Added below line 1:</i> a. Wage related
	<i>Added below line a:</i> b. Housing
	<i>Added below line b:</i> c. Child Labor
	<i>Added below line c:</i> d. Pesticides
	<i>Added below line d:</i> f. Pesticides
	<i>Added below line f:</i> g. Discrimination
	<i>Added below line g:</i> h. Trafficking
	<i>Added below line h:</i> i. Sexual harassment / coercion / assault
	<i>Added below line i:</i> j. Other (specify)
<b>Services Provided to Migrant and Seasonal Farmworkers Minimum Service Level Indicators (Part 3)</b>	
<i>Column 1, Row 1:</i> Reviews of significant offices	<i>Revised:</i> <i>Data Items</i>
<i>Row 1, Column 2</i>	<i>Added:</i> Compliance Level
<i>Row 1, Column 3</i>	<i>Added:</i> Actual Level (%)
<i>Row 1, Column 4</i>	<i>Added:</i> Actual Denominator
<i>Row 1, Column 5</i>	<i>Added:</i> Actual Numerator
<i>Row 1, Columns 6-7:</i>	<i>Added:</i>

	Compliant?
<i>Row 2, Column 6</i>	<i>Added:</i> Yes
<i>Row 2, Column 7</i>	<i>Added:</i> No
<i>Row 3, Column 1</i>	<i>Added:</i> 1. Reviews of significant offices
<i>Row 3, Column 2</i>	<i>Added:</i> 100%
<i>Row 4, Column 1</i> 1. Field checks conducted when more than 10 job orders have been placed through the Agricultural Recruitment System	<i>Revised:</i> 2. Field checks conducted when more than 10 job orders have been placed through the Agricultural Recruitment System
<i>Row 5, Column 1</i> 2. Field checks conducted when 10 or fewer job orders have been placed through the Agricultural Recruitment System	<i>Revised:</i> 3. Field checks conducted when 10 or fewer job order (but at least one) have been placed through the Agricultural Recruitment System
<i>Row 6, Column 1</i> 3. Outreach contacts per week	<i>Revised:</i> 4. Outreach contacts per week
<i>Row 7, Column 1</i> 4. Timely process of ES complaints	<i>Revised:</i> 5. Timely processing of complaints
<i>Notes</i>  Total number of minimum service level indicators	<i>Revised:</i> For the above data items 1 through 5, the system will auto-populate the category indicating whether the state is compliant.  Total number of minimum service level indicators in compliance?
<i>The following section is all new additions to the form</i>	
<b>Services Provided to Migrant and Seasonal Annual Summary (Part 4) (Only to be completed by SWA after Fourth Quarter ends)</b>	
<b>State Annual Summary of Services to MSFWs</b> 20 CFR 653.108(s)	
This section is completed only after the fourth quarter ends. This Annual Summary describes how the State provided employment and training services to MSFWs within the State based on statistical data, reviews, and other activities as required at 20 CFR 653, and 658.	
The summary must include:	
(1) A description of the activities undertaken during the program year by the SMA pertaining to his/her responsibilities set forth in this section and other applicable regulations in this chapter.	
(2) An assurance that the SMA has direct, personal access, whenever he/she finds it necessary, to the State Administrator.	
(3) An assurance the SMA devotes all of his/her time to Monitor Advocate functions. Or, if the SWA proposed the SMA conducts his/her functions on a part-time basis, an explanation of how the SMA functions are effectively performed with part-time staffing.	
(4) A summary of the monitoring reviews conducted by the SMA, including:	

(i) A description of any problems, deficiencies, or improper practices the SMA identified in the delivery of services;
(ii) A summary of the actions taken by the SWA to resolve the problems, deficiencies, or improper practices described in its service delivery; and
(iii) A summary of any technical assistance the SMA provided for the SWA and the ES offices.
(5) A summary of the outreach efforts undertaken by all significant and non-significant MSFW ES offices.
(6) A summary of the State's actions taken under the Complaint System described in part 658, Subpart E of this chapter, identifying any challenges, complaint trends, tracking resolution of complaints, findings from reviews of the Complaint System, trainings offered throughout the year, and steps taken to inform and educate MSFWs, employers, and farmworker advocacy groups about the Complaint System.
(7) A summary of how the SMA is working with WIOA sec. 167 NFJP grantees and other organizations serving farmworkers, employers and employer organizations, in the State, and an assurance that the SMA is meeting at least quarterly with representatives of these organizations. The summary should include whether the SMA has established an MOU with the NFJP grantee or other farmworker organizations in accordance with 20 CFR 653.108 (1).
(8) A summary of the statistical and other MSFW-related data and reports gathered by SWAs and ES offices for the year, including an overview of the SMA's involvement in the SWA's reporting systems.
(9) A summary of the training conducted for SWA personnel, including ES office personnel, on techniques for accurately reporting data.
(10) A summary of activities related to the AOP and an explanation of how those activities helped the State reach the goals and objectives described in the AOP. At the end of the 4-year AOP cycle, the summary must include a synopsis of the SWA's achievements over the previous 4 years to accomplish the goals set forth in the AOP, and a description of the goals which were not achieved and the steps the SWA will take to address those deficiencies.
(11) For significant MSFW ES offices, a summary of the functioning of the State's staffing program under 20 CFR 653.111.