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| TRAINING AND EMPLOYMENT NOTICE | NO. 20-17 |
| | DATE June 22, 2018 |

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE MONITOR ADVOCATES
STATE WORKFORCE LIAISONS

FROM: ROSEMARY LAHASKY
Deputy Assistant Secretary

SUBJECT: Communication Plan for Designation of Significant Migrant and Seasonal Farm Worker (MSFW) States, Significant MSFW One-Stop Centers, and Significant Multilingual MSFW One-Stop Centers

1. **Purpose.** To transmit the Employment and Training Administration's (ETA) communication plan for designation and notification of:

- Significant MSFW States;
- Significant MSFW One-Stop Centers; and
- Significant Multilingual MSFW One-Stop Centers.

2. **References.**

- Wagner-Peyser Act, as amended (29 U.S.C. 49 et seq.);
- Workforce Innovation and Opportunity Act (WIOA), P.L. 113-128, 20 C.F.R. parts 651 and 653;
- Training and Employment Guidance Letter (TEGL) 26-15, *Negotiating Performance Goals for the WIOA Title I Programs and the Wagner-Peyser Employment Service as amended by Title III, for Program Year (PY) 2016 and PY 2017* (June 29, 2016);
- TEGL 26-02, *Publication of Revised Guidance Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient (LEP) Persons* (May 29, 2003);
- TEGL 20-16, *Designation of Migrant and Seasonal Farm Worker (MSFW) States, Significant MSFW One-Stop Centers, and Significant MSFW Multilingual One-Stop Centers*; and
- Executive Order No. 13166, *Improving Access to Services for Persons with Limited English Proficiency*, 65 Fed. Reg. 50121 (Aug. 11, 2000).

3. **Background.** States have a responsibility under Wagner-Peyser Act regulations to provide employment services, benefits, and protections to MSFWs on a basis that is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs.

In order to ensure that employment services are appropriately provided to MSFWs, ETA designates certain states and one-stop centers (now branded as American Job Centers) as

significant MSFW states, significant MSFW one-stop centers, and significant multilingual MSFW one-stop centers. These designations are in accordance with the number of MSFWs who participate or are estimated to be available to participate in the employment services provided in those states and through those one-stop centers. Particular requirements apply to the State Workforce Agencies (SWA), responsible for those designated states and one-stop centers, in addition to the general responsibilities of all SWAs.

Significant MSFW State Designation – Annually, ETA designates significant MSFW states, which are comprised of the 20 states with the highest number of MSFW participants. These significant MSFW states are required to meet minimum levels of service to MSFWs, as noted in Section 4 of TEGL 20-16.

Significant MSFW One-Stop Center Designation – Annually, ETA designates significant MSFW one-stop centers. These are those centers where MSFWs account for 10 percent or more of annual participants in Wagner-Peyser Employment Service activities and also include centers that ETA determines should be included due to special circumstances such as an estimated large number of MSFWs in the service area. The Wagner-Peyser Act regulations require ETA to designate not less than 100 centers on a nationwide basis.

Significant Multilingual MSFW One-Stop Center Designation – Annually, ETA designates significant multilingual MSFW one-stop centers. These are centers where 10 percent or more of MSFW participants are estimated to require service provisions in a language(s) other than English, unless ETA determines other one-stop centers also should be included due to special circumstances.

4. **Updated Notification Plan.** Previously, ETA has notified stakeholders about the designation of significant MSFW states, significant MSFW one-stop centers, and significant multilingual MSFW one-stop centers by publishing a TEGL. To simplify the notification process, ETA will now notify the SWAs annually via email. Additionally, ETA's website and its Workforce GPS – Agricultural Connection site will be updated annually with these designations to ensure they are publically available. The ETA website is available at <https://doleta.gov/programs/msfw.cfm>, and the Agricultural Connection site can be found at <https://farmworker.workforcegps.org/resources>.
5. **Responsibilities of SWAs.** TEGL 20-16 provides guidance on the responsibilities of all SWAs in serving MSFWs, and on the responsibilities of the designated significant MSFW states, the designated significant MSFW one-stop centers, and the designated significant MSFW multilingual one-stop centers. The Department notes that these responsibilities continue to apply.
6. **Action Requested.** ETA requests that SWAs share this information with state monitor advocates.
7. **Inquiries.** Any questions concerning this TEN should be directed to the appropriate ETA regional monitor advocate or the national monitor advocate listed on the ETA website referenced above.