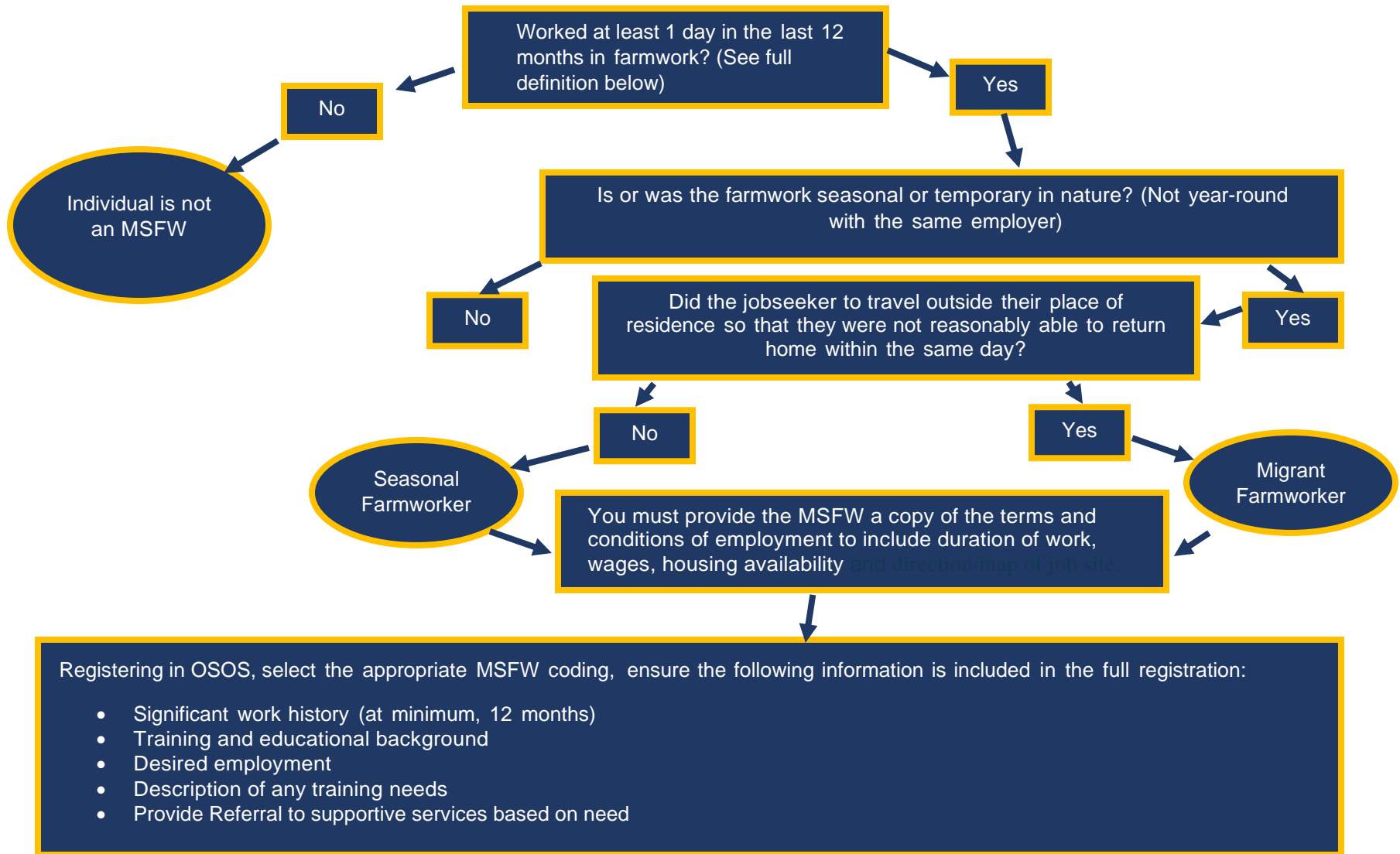


### Migrant and Seasonal Farmworker (MSFW) Desk Aid



# WE ARE YOUR DOL



<b>Seasonal Farmworker</b>	Shall mean an individual who is employed, or was employed in the past 12 months, in farm work of a seasonal or other temporary nature and is not required to be absent overnight from his/her permanent place of residence.
<b>Migrant Farmworker and Migrant Food Processing Worker</b>	Shall mean a seasonal farmworker who travels to the job site so that the farmworker is 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.
<b>Farmwork</b>	Shall mean the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities. This includes the raising of livestock, bees, fur-bearing animals, or poultry, the farming of fish, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market. It also includes the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state.
<b>Employment Service (ES)</b>	Also known as Wagner-Peyser Act Employment Service. ES means the national system of public ES offices described under the Wagner-Peyser Act. ES services are delivered through a nationwide system of one-stop centers and are managed by State Workforce Agencies (SWA) and the various local offices of the SWAs and funded by the USDOL.
<b>MSFW</b>	Shall mean a migrant or a seasonal farm worker.
<b>MSFW Industry &amp; Timeframe</b>	Farmwork, including fish farming and aquaculture, in the past 12 months
<b>Farm Labor Contractors (FLC)</b>	An individual charges a fee to recruit, transport, supply, hire or supervise farmworkers on behalf of a third party.
<b>For more information about FLC registration refer to the following websites</b>	USDOL at <a href="https://www.dol.gov/whd/forms/fts_wh530.htm">https://www.dol.gov/whd/forms/fts_wh530.htm</a> or NYSDOL at <a href="https://dol.ny.gov/farm-labor-contractors">https://dol.ny.gov/farm-labor-contractors</a>
<b>Serving English Language Learners Quick Tips:</b>	<ul style="list-style-type: none"> <li>• Keep a copy of the Language Identification Tool at your desk year-round</li> <li>• Use an interpreter to get accurate information</li> <li>• Speak in the 1st person mode</li> <li>• Address questions directly to the customer</li> </ul> <p>Contact Language Access Coordinator Eric Denk for more information at: (607)-778-2836 <a href="mailto:eric.denk@labor.ny.gov">eric.denk@labor.ny.gov</a></p>
<b>H-2A Job Orders</b>	For H-2A job orders visit: <a href="https://seasonaljobs.dol.gov/">https://seasonaljobs.dol.gov/</a>
<b>SMA Contact Information</b>	For more information regarding the MSFW Program contact:  Belén Ledezma State Monitor Advocate <a href="mailto:labor.sm.State.Monitor.Advocate@labor.ny.gov">labor.sm.State.Monitor.Advocate@labor.ny.gov</a> (518) 457-0039