

KANSAS DEPARTMENT OF COMMERCE
REGULATORY COMPLIANCE
LEGAL SERVICES

2014 MAFO NATIONAL
FARMWORKER
CONFERENCE

CONFERENCE SUMMARY REPORT

APRIL 2014

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INTRODUCTION

“Building Stronger Rural Communities” was the theme of the 2014 MAFO National Farmworker Conference held March 31-April 2, 2014, in McAllen, TX. As a MAFO member organization, Harvest America Corporation (HAC) participated at the conference as a conference sponsor. This year’s conference was the first in many years which did not include the USDOL National Monitor Advocate Training Conference. That conference will be held in Washington D.C. in late May.

Terri Bookless, HAC Executive Director; Steve Sandoval, HAC Board of Director Chair; and I (HAC Board of Director Secretary and State Monitor Advocate) attended the conference.

This report serves as a summary of workshops I attended. Please note this report is best read in electronic format as it contains links to organizations or programs mentioned throughout or electronic versions of handouts.

A copy of this report with copies of the PowerPoint presentations and other handouts can be found at the Kansas Monitor Advocate website at: <http://kansasmonitoradvocate.wordpress.com/2014/04/30/2014-mafo-conference-report-released/>.

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CONFERENCE WORKSHOPS

Opening Plenary Session: Welcome Remarks and Purpose of Conference

Speakers: Lupe Martinez, MAFO chairman and President/CEO, UMOS, Milwaukee, WI
Tom Stellman, President/CEO, TIP Strategies, Inc., Austin, TX
Dr. Lisa Ramirez, Director, USDOE Migrant Education, Washington, D.C.
Congressman Ruben Hinojosa, Texas, 15th District
Francisco 'Paco' Valentine, USDA Rural Development, Texas

Finding, Recruiting and Engaging the Right Board Members

Presenter: Sonia Troche, National Council of la Raza Regional Director, TX

This presentation began with an introduction to the board building process. The discussion then moved to identification of 5 generations of people who are currently in the workforce. Understanding the generations – their major experiences, motivators, traits, and values – enables organizations to identify potential board members based on organizational need. The presentation then went through “Nine Steps to the Board Building Process.” The steps and associated actions are:

Step 1: Identify – Action Steps

- Annually review mission and strategic direction.
- Consider the diversity of intellectual, social, financial, demographic, and reputation resources needed on the board.
- Develop a board profile and compare with current members.
- Ensure diversity of backgrounds, knowledge, and other resources – look for members that represent more than one desired characteristic.

Step 2: Cultivate – Action Steps

- Continually develop a pool of potential board members.
- Identify sources of individuals that meet your board profile.
- Cast a wide net and look at nontraditional resources.
- Involve board members, senior staff, major donors, and other constituents in the cultivation process.
- Invite prospects to participate in some way with the organization.
- Keep records of potential board members and keep them informed.

Step 3: Recruit – Action Steps

- Explore the interest by engaging them in conversation or the organization’s activities.
- Evaluate for right fit for board and organization.
- Identify a slate of candidates through the governance committee.
- Conduct personal interviews and discover their willingness to serve.
- Do not recruit overcommitted candidates.
- Provide the board sufficient information on each nominee prior to elections.
- Ensure consensus on the election process.

Step 4: Orient – Action Steps

- Conduct a new board member orientation.
- Provide new board members a handbook prior to the orientation session.
- Consider board mentors to help answer questions and provide a friendly transition.
- Communicate board culture.
- Plan a follow-up session later in the year to answer questions and obtain feedback.

Step 5: Involve – Action Steps

- Provide opportunities for active participation through interactive board meetings.
- Focus the board on strategically important issues.
- Involve board members on committees and task forces.
- Make information easily available.
- Create opportunities for social interaction, sharing experiences, and exploration of ideas.

Step 6: Educate – Action Steps

- Build in opportunities for the board to expand its knowledge, awareness, and understanding.
- Educate board members on external issues that might affect the organization and mission as well as on specific board functions.
- Make information available through email or a password protected website.
- Organize activities that get board members involved and teach them things outside of the regular boardroom context.

Step 7: Evaluate – Action Steps

- Take time to reflect on the board's performance and that of individual board members to promote continuous growth.
- Establish effective board meeting criteria and evaluate regularly.
- Conduct a full-scale board assessment every 2-3 years.
- Consider giving self-assessments to board members seeking re-election.

Step 8: Rotate – Action Steps

- Bring new board members for fresh insights and ideas.
- Assign board members to different committees over time and provide opportunities for leadership.
- Balance the need for new board members with the need for institutional memory and retention of valuable resources.
- Develop term limits and be intentional about the process of re-nominations.
- Be thoughtful of people and legal guidelines when removing board members.

Step 9: Celebrate – Action Steps

- Motivate board members and build momentum through celebration.
- Actively appreciate the achievements of the organization, board, and its members.
- Create opportunities for recognizing good news and relationships.
- Include good news from the personal and professional lives of board members.
- Keep things light – inject humor into the work of the board.

Workshop attendees were also provided copies of worksheets which correspond to action steps, above:

- ✓ Board Profile Worksheet
- ✓ How and Where to Find Board Members
- ✓ Prospective Board Member Information Sheet
- ✓ Board Candidate Rating Form
- ✓ Sample Board Member letter of Agreement
- ✓ Suggested Contents for Board of Directors Handbook
- ✓ Board Orientation Chart
- ✓ Board member orientation Checklist
- ✓ Involving Board Members
- ✓ Board Meeting Evaluation Form
- ✓ Individual Board member Self-Evaluation Form

Media Strategies for Nonprofits

Presenters: Rebecca Young, Reporter, KRVG Channel 5, Rio Grande Valley, TX
Cynthia Martinez, Director of Media Communications, Texas Rio Grande Legal Aid, Inc.
John-Michael Torres, Communications Director, La Union del Pueblo Entero, (LUPE)

This workshop featured three people who are media professionals. Each took their turn suggesting effective media strategies, based on their experience. The various tips or comments are categorized under categories of who, what, and how.

Who:

- Decide who is in charge of communication; the same person may be used for both proactive and/or reactive messages.
- Select good spokespeople on behalf of the organization and client/victims.
- If a person makes a good plaintiff, they're a good spokesperson.
- Cultivate volunteers for raising awareness, fundraising, and for social media (friends, shares, retweets, etc.)

What:

- Determine the message your organization wants to convey.
- Develop a media plan or strategy. The plan can/should include both:
 - Proactive news: educates the public about the need, organization, and its solutions; largely through traditional media.
 - Reactive news: based on need or request in reaction to something that has happened locally or within the organization; may use telephone or social media.
- Have reasonable/realistic goal for the media strategy.
- Consider all possible but determine the appropriate media vehicle for the different types of news: news releases, calls, emails, online – website, social media, etc. Not all media types are good for all news. Some are more effective than others.

How:

- Educate the media on the issues.
 - Learn how to tell a good story or identify a good story (fairy tale) with: victim, bad guy, story, hero, good ending = win peoples' hearts.
 - Tie message/issue with another event which may have a broader reach, such as the Cesar Chavez movie opening or a widespread local event (can be anything from local storms relief to Friday art walks).
- If working with television:
- TV is reporter driven, under much pressure, need ALL the facts.
 - Looking for the big picture – why should they care? Is this person/victim part of a bigger problem?
 - Working on deadline; ASK FOR THEIR DEADLINE.
 - Have someone local available, who are the characters?
 - Video – what can they shoot, where, is there anything visual?
 - Unpassionate = credibility.
 - Don't answer directly if they ask what they can expect to hear if they talk to the other side.
 - Can they fix it?
 - Exclusivity is a big bonus.
 - Don't like he said/she said, must be quantifiable.
 - Why should people care? Know skeletons in closet.

Finally, know the rules for working with media. A recommended resource is The Media Training Bible by Brad Phillips.

Human Labor Trafficking in the Agricultural Industry (Protecting Vulnerable Populations)

Presenter: Robert Canino, U.S. Equal Employment Opportunity Commission (EEOC), Dallas Region

Mr. Canino talked about the EEOC's role in "jamming" human trafficking for labor purposes. He explained that in trafficking the bottom line is the effort to get cheap labor; employers may exploit vulnerable populations.

Vulnerable populations are defined as employees or applicants (including foreign and undocumented workers) who may:

- Lack employment choices and economic bargaining power.
- Lack familiarity with labor and employment laws of the U.S.
- Be easily isolated given the location of employment or nature of the industry.
- Be limited in ability to communicate with persons other than their employers.
- Include victims of fraud or coercion.
- Are disabled.

The EEOC involves itself in these types of cases to prove discrimination on behalf of the vulnerable population as other workers may not be treated in the same way. A legal finding of discrimination is

helpful when a human trafficking criminal case is being investigated, however, the EEOC does not have to prove trafficking to prove discrimination. He distinguished that the Burden of Proof (BOP) is very different in criminal versus civil cases. In criminal cases the BOP is "Beyond a reasonable doubt," while in a civil case the BOF is, "Preponderance of the Evidence," or "more likely than not."

As legal remedies, the EEOC will seek injunctions to shut down illegal operations, unpaid wages, compensatory and/or punitive damages, and all other remedies available under the law.

The EEOC identified class cases which they consider human trafficking or a form of exploitation that is very close to trafficking:

- Disparate Treatment: employee (victim) is treated or paid differently than other employees because of a protected basis.
- Hostile Work Environment: employee (victim) is subjected to severe or pervasive harassment (and even abuse) because of a protected basis.
- Retaliation: People are fired or threatened with prosecution or deportation.

Victims of human trafficking are "parked" in a variety of industries including but not limited to prostitution; agriculture; meat/poultry processing plants; skilled or unskilled steel work and construction; factory/manufacturing/garment industry; janitorial services; restaurant and hotel hospitality services; or any industry considered dirty, dangerous, or degrading. ANY contracted labor in any neighborhood could be a front for human trafficking.

To contact or find more information, please visit the EEOC's webpage or the PowerPoint presentation provided. The specific page EEOC page with Kansas contacts is:
<http://www.eeoc.gov/field/kansascity/index.cfm>.

Stash Houses: The Exploitation of People and Property

Presenters: William Clarke, Supervisory Border Patrol Agent
Melissa Mendez and Paul Perales, US Border Patrol Agents, Rio Grande Valley Sector

These workshop presenters spoke about the Rio Grande Valley Sector Combined Enforcement Unit project staffed by U.S. Customs and Border Patrol agents. The "Taking Care of Business Initiative" is an awareness campaign to educate members of the community on methods criminals elements use to exploit people and property to operate stash houses. Stash houses are used to temporarily house individuals who are being trafficked for labor purposes. Properties used as stash houses can be in deplorable old, rundown neighborhoods, in very nice neighborhoods, in storage units, or warehouse type districts. In all cases, the victims are inhumanely treated and may be abused.

Houses used for stashing victims are typically rented. The property owner may/may not be party to the crime or may even be a long distance owner. Innocent looking people are many times used to sign rental agreements; they may be a couple with children. Local property owners who want to protect themselves and their property from being used as a stash house should verify the identification of the renters, ensure a contract is signed; make monthly visits; pick up the rental check; and record renters' vehicles license plate numbers.

Indicators of a stash house are typically:

- Large amounts of visible trash.
- Covered windows.
- Multiple water jugs/food containers.
- No furniture.
- Too many vehicles with lots of traffic at all hours of the day or night. Vehicle windows may be very dark and the seats removed.
- Santa Muerte gang tagging. Santa Muerte is the patron of smugglers. Please do a search for "Santa Muerte tattoos" if the following link does not work. Also note Santa Muerte art feature skeletons with feminine features and clothing which can be easily confused with Dia de los Muertos art. However, one is used by those with criminal connections and the other is part of an old Mexican cultural tradition.

<http://www.bing.com/images/search?q=Santa+Muerte+Tattoos&qvpt=Santa+Muerte+Tattoos&FORM=IGRE>.

Contact local law enforcement (911) and/or the number below to report suspicious activity. Do NOT try to confront anyone about suspected activities. DO record the address, names (if known), vehicles, license tags, other identifier or details which will be helpful to the authorities.

To report suspicious activity: Call 800 BE ALERT or (800)-232-5378.

Plenary Session: Transforming Communities for Economic Growth, Prosperity & Creating Jobs

Speakers: John Martinez, MAFO Vice-Chair and HELP Executive Director, New Mexico
Wyman Winston, Wisconsin Housing and Economic Development Authority, Ex. Dir.
Tina Koehn, UMOS Vice President, Milwaukee, WI
Judith Canales, USDA Texas Farm Service Agency, Ex. Dir.

This was a greatly informative general session in which two of the presenters spoke about the Transform Milwaukee Initiative. Transform Milwaukee is a public-private partnership focusing on restoring economic prosperity to the industrial, residential and transportation areas connecting the City of Milwaukee's 30th Street Industrial Corridor, Menomonee Valley, Port of Milwaukee and the Aerotropolis, located south of General Mitchell International Airport. The Wisconsin Housing and Economic Development Authority (WHEDA) is leading the initiative with a team of partners. In initiative's goals are increasing jobs, increasing business development and innovation, reducing the number of foreclosed and vacant properties, leveraging partnerships for job training, skill enhancements, and educational opportunities, improving infrastructure. The Transform Initiative website includes a 4-minute video which best illustrates this project's scope.

Judith Canales provided information about the newly passed farm bill and the USDA Microloan Program which was started last year.

Microloans are direct farm operating loans with a shortened application process and reduced paperwork designed to meet the needs of smaller, non-traditional, and niche type operations. There is no minimum loan amount; the maximum loan amount \$35,000.

Apprentice and mentorship programs, non-farm business experience, and farm labor experience are acceptable alternative solutions for helping to meet farm experience and managerial requirements.

Loans may be used to purchase items such as:

- Livestock and feed.
- Farm equipment.
- Fuel, farm chemicals, insurance and other operating costs, including family living expenses.
- Minor improvements or repairs to buildings.
- Refinance certain farm-related debts, excluding real estate.

Operating loan funds cannot be used to finance nonfarm enterprises, including earthworms, exotic birds, tropical fish, dogs or horses used for non-farm purposes (racing, pleasure, show and boarding).

Farmworker Justice Immigration Reform Update

Speaker: Bruce Goldstein, Farmworker Justice, Washington D.C.

In this workshop Mr. Goldstein gave a status update of S744, the immigration bill passed by the U.S. Senate and now in the House. Expanded information can be found on the Farmworker Justice Spring newsletter at:

http://www.farmworkerjustice.org/sites/default/files/press_downloads/FJNews_Spring_2014_WEB.pdf

Si Se Puede Citizenship Network

Speaker: Luis Guerra, Immigration Implementation Coordinator, UFW Foundation

The Si Se Puede Citizen Network, a national network of organization devoted to providing immigration services and information to farmworkers. This organization is part of the United Farm Workers Foundation (UFW). Tips were given on what local organizations and communities should be doing in preparation of immigration reform to ensure accurate information and reliable services are provided, rather than allowing unscrupulous individuals or businesses to set up shop exploit individuals wanting to re-adjust their status.

Information about becoming part of the network or participating in an informational webinar can be obtained by contacting Luis at lguerra@ufwfoundation.org or phoning (619) 971-3291.

REPORT LINKS

Organization Links

<http://www.mafofarmworker.com/>

<http://harvestamerica.org/>

<http://www.umos.org/>

<http://tipstrategies.com/>

<http://www2.ed.gov/about/offices/list/oese/ome/index.html>

<http://hinojosa.house.gov/>

<http://www.rurdev.usda.gov/TXHome.html>

<http://www.nclr.org/>

<http://www.krgv.com/>

<http://www.trla.org/>

<http://lupenet.org/>

<http://www.cbp.gov/border-security/along-us-borders/border-patrol-sectors/rio-grande-valley-sector-texas>

<http://www.helpnm.com/>

<http://walker.wi.gov/departments/wisconsin-housing-and-economic-development-authority>

<http://www.fsa.usda.gov/FSA/stateoffapp?mystate=tx&area=home&subject=landing&topic=landing>

<http://fsa.usda.gov/FSA/webapp?area=home&subject=fnlp&topic=dflop>

<http://ufwfoundation.org/>

<http://www.transformmilwaukee.com/>

Resource Links

Building the Right Board for your Organization (PowerPoint):

<http://kansasmonitoradvocate.files.wordpress.com/2014/04/building-the-right-board-for-your-organization-pp.pdf>

Building the Right Board for your Organization (worksheets):

<http://kansasmonitoradvocate.files.wordpress.com/2014/04/board-step-worksheets.pdf>

EEOC's Role in Jamming Labor Traffic (PowerPoint):

<http://kansasmonitoradvocate.files.wordpress.com/2014/04/eecs-role-in-jamming-labor-traffic.pdf>

Farmworker Justice News Immigration Update:

http://kansasmonitoradvocate.files.wordpress.com/2014/04/fjnews_spring_2014_web.pdf

Si Se Puede Network Handout:

<http://kansasmonitoradvocate.files.wordpress.com/2014/04/si-se-puede-network.pdf>

The Media Training Bible: <http://www.amazon.com/dp/0988322005/?tag=mrmedtra-20>

FOR FURTHER INFORMATION

For further information or resources, please contact:

Jenny Tavares
Kansas State Monitor Advocate
Regulatory Compliance, Legal Services
Department of Commerce
1000 SW Jackson Street, Suite 100
Topeka, KS 66612
jtavares@kansascommerce.com
785-296-5014