

## Claar Tee, Sonya

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**Subject:** FW: YVCOG H2A Meeting Info - My Thoughts

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**From:** Moore, Cliff

**Sent:** Thursday, January 31, 2019 2:18 PM

**To:** All City Council <[ccouncil2@YAKIMAWA.GOV](mailto:ccouncil2@YAKIMAWA.GOV)>

**Cc:** Watkins, Sara <[Sara.Watkins@YAKIMAWA.GOV](mailto:Sara.Watkins@YAKIMAWA.GOV)>; Davenport, Joan <[Joan.Davenport@yakimawa.gov](mailto:Joan.Davenport@yakimawa.gov)>; Calhoun, Joseph <[Joseph.Calhoun@YAKIMAWA.GOV](mailto:Joseph.Calhoun@YAKIMAWA.GOV)>

**Subject:** FW: YVCOG H2A Meeting Info - My Thoughts

Council,

I am forwarding along an email message from Brett Valicoff that he sent to Larry Mattson and several Council members after yesterday's H2A Worker Housing Forum. Although he inaccurately gives YVGOG credit for moving this conversation forward, I think Mr. Valicoff's message here is thoughtful and some of the questions he asks, and suggestions he has made are worthy of further discussion. This morning in the Community Development staff meeting, which includes ONDS, several of these topics were reviewed.

Given that this issue is of such concern to the community (approx. 70 people attending the forum yesterday), and wanting you all to have an opportunity to follow up with direction to staff and/or to the Ad Hoc committee you empaneled for this issue while the forum is fresh in your minds, I have placed this issue as an item for discussion at your February 5 business meeting.

In the meantime, as you know, you have an affordable housing study session scheduled for February 5. Staff will be presenting a white paper and a PowerPoint presentation and I have also asked Joan to continue to study the message here from Mr. Valicoff and be ready to respond to any questions Council may have. Finally, if you have specific questions that you would like to address, either from previous affordable housing discussions, from the forum yesterday or from Mr. Valicoff's message, please let me know and I will work with staff.

Thanks  
Cliff

On Jan 30, 2019, at 2:30 PM, Brett Valicoff <[bvalicoff@SageFruit.com](mailto:bvalicoff@SageFruit.com)> wrote:

Larry,

I want to start off by saying thank you again for both hosting and driving the discussion around H2A housing and the unique problems that need to be addressed. I took a back seat during the meeting today as I wanted to get a feel for where the discussion was at in its natural progression and to gauge the overall opinion of the crowd. I was surprised that there was not more discussion, but think it was a great starting point. I have included several of the Yakima city council members that spoke during today's forum as well. Please feel free to pass this along to others that attended.

Below are some key points that I identified in my observations of the meeting along with some useful information.

- 1) Education: I have been eating and breathing the H2A program for the better part of five years now. It was very apparent during the meeting that others do not have great insight in to the

program. I have also had numerous discussions with citizens throughout the valley on H2A. Most of their thoughts and beliefs are mis-informed, something that we as a community can do a better job of educating them on. Below are some educational items that were discussed during the meeting:

- a. **ESD Labor Report for 2016** (this does lag by a few years, this was the most recent I could find). H2A has grown from 1,688 workers in 2007 to 13,641 in 2016 (increase of 808% over nine years).  
<https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/labor-market-info/Libraries/Industry-reports/Annual-Ag-Report/2016%20Agricultural%20Workforce%20Report.pdf>
  - b. **United States Department of Labor – Wage & Hour Division H2A Website**  
[https://www.dol.gov/whd/ag/ag\\_h-2a.htm](https://www.dol.gov/whd/ag/ag_h-2a.htm)
- 2) **Urgency:** As discussed during the meeting and as proven in the links above, the need for temporary worker housing continues to increase annually at exponential rates. I agree with everything that was said during the meeting today. Our top priorities are, and should be; worker safety, suitable living conditions, provide minimum disruptions within the community and work to improve the experience and workforce needed for the agriculture industry. My fear is that if this is not treated with urgency than these problems will become worse while people work without specific rules and regulations. This is a large issue for the well-being of our community and should be treated with urgency.
  - 3) **Define:** I went to the City of Yakima discussions a year ago when this discussion was first brought up. They had looked at adding a new definition that temporary worker housing would fit in to, a congregate living facility. I do not know whether this is the final solution but think that defining what constitutes this type of living facility should be one of the first issues addressed. I was born and raised in the Yakima valley and have basically lived here my whole life. Over the last 32 years I have driven by abandoned buildings that have been in disrepair for as long as I can remember. I think all members of the community would find it acceptable to locate these areas throughout the municipalities in hopes that the TWH could improve upon locations that have not seen change in decades. The zoning process could target these areas to start and work from there. This is not something that will be accomplished without flaws right away but should rather be viewed as a “living document”. This would allow for the definition and zoning to evolve as the rules and regulations within this program organically change over time. A firm definition of what this is, as well as a defined area in need, could provide an immediate solution to the overall housing shortfall we are all facing.
  - 4) **Outreach:** There are a lot of misconceptions within the H2A program. The first step is education followed by extending that education throughout our communities. I would ask the YVCOG what the best solution to a public outreach program would be to ease the minds and change the negative connotations that are more times than not associated with the H2A program. Would it be possible to run a series in the Yakima Herald that outlines the benefits of the program? Can we get farmer, worker and employer testimonies to provide insight in to the program? Can we talk with construction contractors and subcontractors to discuss the economic impact the H2A sector has provided? Can we interview business owners to see what economic impacts they have noticed?
    - a. Domestic workers benefit from the program as the Adverse Effect Wage Rate is paid to all workers, H2A and domestic, once a contract is in place. The current AEWR rate, which is the minimum rate paid to all employees, is currently set at \$15.03/hour for 2019. The minimum wage discussion has been a huge topic of discussion throughout our country and in the state of Washington over the last several years. There are a lot of employees that have asked for increased minimum wage rates and \$15/hour seems to

be the magic number at this point in time. The H2A program is providing this opportunity to the domestic labor force when contracts are in place. The link below shows this AEWR rate for 2019. You will notice that Washington and Oregon are tied for the highest AEWR rate in the US.

i. <https://www.foreignlaborcert.doleta.gov/adverse.cfm>

- b. Economic impact is another huge item that should be relayed to the community. The increase in construction and facility equipment (HVAC) as well as service and work with utilities has increased during and after the construction process. Once temporary workers are here they positively impact the economy by purchasing food and amenities, utilizing public transportation, supporting local restaurants and businesses as well as helping to provide revenue to the municipalities through use of public services and utilities.

I would be happy to discuss these items in further detail if there are any interested parties. I look forward to continuing the discussion and hope that we, as a community, can come up with some action on this topic sooner rather than later.

Sincerely,

***Brett Valicoff***

General Manager, Valicoff Fruit Co., Inc.

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