



## REPORT TO CITY COUNCIL

**Approved by:**

  
Arnoldo Rodriguez, City Manager

**Council Meeting of:** August 4, 2021

**Agenda Number:** B-10

**SUBJECT:**

Farm Workforce Modernization Act of 2021 Letter of Support

**RECOMMENDATION:**

Approve Minute Order Approving a Letter in Support of Proposed Changes to Farm Workforce Modernization Act of 2021

**SUMMARY:**

On March 18, 2021, the U.S. House of Representatives passed the Farm Workforce Modernization Act of 2021. This bill contains provisions related to undocumented employees, including provisions establishing a certified agricultural worker (CAW) status and changing the H-2A temporary worker program. The Department of Homeland Security (DHS) may grant CAW status to an undocumented employee that:

- Performed at least 1,035 hours of agricultural labor during the two-year period prior to March 8, 2021
- On that date was inadmissible, deportable, or under a grant of deferred enforced departure or temporary protected status
- Has been continuously present in the United States from that date until receiving CAW status

CAW status shall be valid for 5.5 years and may be extended. An person with a pending application may not be detained or removed by DHS and shall be authorized for employment until DHS makes a final decision on the application.

**DISCUSSION:**

The U.S. House of Representative's version of the legislation does not include employees of packing houses or processing facilities under the definition of "agricultural labor or services."

Packing houses and processing plants are a vital economic sector in our community. They provide our residents with good-paying jobs. It would be unfair for these workers who are sorting, packing, or processing agriculture commodities to have to resign from these agricultural jobs to seek another that meets the legislation's current definition of agricultural labor or services.

Packing house and processing plant employees are vital to our communities and our economies here in the Central Valley. The Council has long recognized and stood with the hard-working employees who make up the Valley's agricultural labor force. Should such employees not be included, it could prove disastrous for many families in our community.

**FINANCIAL IMPACT:**

Submittal of the support letter provides no direct financial impact to the City.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

The information contained herein is not addressed by the Vision Madera 2025 plan, nor is the information in conflict with that plan.

**ALTERNATIVES:**

As an alternative, the Council may elect to reject submittal of the letter of support.

**ATTACHMENTS:**

1. Support Letter Addressed to the Honorable Dianne Feinstein, United States Senator
2. Support Letter Addressed to the Honorable Alex Padilla, United States Senator



August 4, 2021

The Honorable U. S. Senator Dianne Feinstein  
331 Senate Hart Office Building  
Washington, D. C. 20510

**RE: Farm Workforce Modernization Act of 2021 Letter of Support**

Dear Senator Feinstein,

The City of Madera is grateful for the approval of the Farm Workforce Modernization Act of 2021 by the United States House of Representatives. We are optimistic that it will pass the Senate, particularly given the demonstrated importance of undocumented farmworkers and other agricultural employees during the COVID-19 pandemic. However, in its present form, the law excludes a significant portion of our undocumented agricultural workforce, including those employed in packing houses and processing facilities.

Packing houses and processing plants are an important part of our community's economy. They provide good-paying jobs for our residents. It would be unfair for these workers who sort, pack, or process agricultural commodities to be forced to resign from their current jobs in order to find another that meets the current legislation's definition of agricultural labor or services. They, too, work long and arduous hours, particularly during peak season. Work done, whether that be in the field, packing houses, or at processing plants, is vital to the agricultural industry.

In this push to legalize the agricultural workforce, dreamers must not be forgotten. Many Dreamers in our community have parents who work in agriculture. The failure to move forward without legislation for Dreamers jeopardizes their future. A court's ruling or a new President of the United States could take away everything they have worked so hard for. Educators, doctors, lawyers, and workers in almost every field could be affected.

The City of Madera respectfully requests that the Farm Workforce Modernization Act of 2021 be amended to include employees who work in packing houses and processing plants, and that legislation for Dreamers be passed concurrently.

Sincerely,

Mayor Santos Garcia  
City of Madera



August 4, 2021

The Honorable U. S. Senator Alex Padilla  
B03 Russell Senate Office Building  
Washington, D. C. 20510

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