STATE OF MINNESOTA
Executive Department

Governor Tim Walz

Executive Order 21-14

Establishing the Governor's Committee on the Safety, Health, and Wellbeing of Agricultural and Food Processing Workers

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

Agriculture and food processing are a foundational part of Minnesota's economy. Minnesota ranks fifth in the nation in overall agricultural production, with $17 billion in agricultural sales per year. With over 68,000 farms, Minnesota also ranks fifth in the nation for crop production ($8.85 billion) and seventh in livestock production ($7.85 billion). The agricultural production and processing industries generate over $112 billion annually in total economic impact and support more than 431,000 jobs in Minnesota. These industries depend on significant numbers of workers, including migrant workers, foreign laborers, recent immigrants and refugees, and seasonal workers.

Migrant and seasonal agricultural workers make vital contributions to the agricultural and food processing sectors because planting and processing often rely on manual labor. Despite these workers' important contributions, reliable data about Minnesota's migrant and seasonal workers can be difficult to find. Nonetheless, a 2009 University of Minnesota study estimated that approximately 20,000 people migrate to Minnesota each summer to work the green pea and sweet corn seasons, just two of the many crops grown in Minnesota.

Minnesota's agricultural and food processing workers include foreign laborers, refugees, United States citizens, and immigrants with and without work authorization. Approximately 12,000 workers are employed in Minnesota's 33 meatpacking plants. This workforce is highly mobile and has a 40 percent turnover rate. As a result, these workers may not know their legal rights. A 2015 report by the Office of the Legislative Auditor found that very few of these workers understood the workplace protections available to them.

The COVID-19 pandemic has exposed and exacerbated the challenges faced by agricultural and food processing workers, particularly with respect to workplace safety and employment protections, access to safe housing and transportation, and critical health care needs. With 77 percent of all farmworkers identifying their preferred language as Spanish, language and cultural

barriers add to these challenges. In meatpacking and other agricultural processing facilities in Minnesota, the mostly immigrant workforce is more varied, but it faces similar challenges to receiving critical health and safety information in accessible languages. These workers' safety, health, and wellbeing is essential not only to the workers themselves, but also to their families and communities, and to the uninterrupted operation of Minnesota's agricultural production and processing industries.

State, local, and federal agencies, community organizations, advocacy groups, employers, and workers all share responsibility for addressing these challenges. Ineffective communication and coordination between these groups results in a piecemeal approach and hinders effective solutions to the complex issues that contribute to workers' vulnerabilities. To confront the challenges facing agricultural and food processing workers in the upcoming agricultural and food processing season, we need better coordination among regulatory agencies, industry, and community organizations. We must also clearly identify state agencies' roles and responsibilities in addressing agricultural and food processing workers' safety, health, and wellbeing during the COVID-19 pandemic and beyond. Finally, we must develop effective communication mechanisms to ensure that workers and employers have access to current and accurate information about safety and health requirements, housing, and transportation in appropriate languages. To address these issues, improve agricultural and food processing workers' wellbeing, and avoid unnecessary interruptions to our agricultural production, I am establishing the Governor's Committee on the Safety, Health, and Wellbeing of Agricultural and Food Processing Workers.

For these reasons, I order as follows:

1. The Governor's Committee on the Safety, Health, and Wellbeing of Agricultural and Food Processing Workers ("Committee") is established.

2. The Committee's objectives are to:

    a. Respond to the COVID-19 pandemic by coordinating resources and outreach for the 2021 growing, harvesting, and processing season, starting as soon as possible.

    b. Support and assist the Minnesota Department of Health, local public health departments, and community organizations with the coordination of the COVID-19 response, including testing, vaccination, access to health care, and necessary assistance for the quarantine and isolation of workers and their families if they test positive or become ill.

    c. Design a proactive strategy and plan to effectively deploy public, private, and non-profit compliance resources to protect and promote the safety, health, and wellbeing of agricultural and food processing workers. The focus will be on housing, transportation, and workplaces.

    d. Develop a system for effective communication between state agencies, community organizations, advocacy groups, and agricultural and food

processing employers and workers, including the workers' families and communities.

e. Provide government agencies, community organizations, advocacy groups, employer and worker organizations, employers, and workers a forum to engage, collect and analyze data and information, coordinate resources, and plan for future agricultural growing, food production, and processing seasons.

3. By December 1, 2021, provide recommendations for state policy and legislative changes to relevant state agencies, to be considered for communication to the Governor's Office for inclusion in budget and policy proposals.

4. The members of the Committee are:

   a. The Commissioners of the following agencies or their designees:

      i. Department of Agriculture ("MDA")

      ii. Department of Employment and Economic Development ("DEED")

      iii. Department of Health ("MDH")

      iv. Department of Labor and Industry ("DLI")

   b. United Food and Commercial Workers ("UFCW") Local 663, Director of Organizing

   c. United Food and Commercial Workers ("UFCW") Local 1189, President

   d. Southern Minnesota Regional Legal Services ("SMRLS"), AWP Project Manager

   e. Unidos MN, Executive Director

   f. HACER, Executive Director

   g. Minnesota Farm Bureau, President

   h. Minnesota AgriGrowth Council, Executive Director

   i. Minnesota Farmers Union, President

   j. Meeker-McLeod-Sibley Community Health Services, CHS Administrator

   k. Southwest/West Central Community Health Board, Waseca County Public Health Director

   l. Community Health Service, Inc., Executive Director

5. The Commissioners of Agriculture and Employment and Economic Development, or their designees, will serve as the Committee's Co-Chairs.

6. Representatives of state agencies designated to serve on the Committee must have expertise and experience necessary to assist in the accomplishment of the Committee's objectives and will have the support of, and be accountable to, to their respective commissioners.

7. The Committee will work with, and provide regular updates to, the Minnesota Migrant Services Consortium, facilitated by the Minnesota Department of Education ("MDE").

8. The duties of the Committee are as follows:

    a. Meet at least twice per month and more often as necessary.

    b. Identify and engage leaders, experts, practitioners, and representatives of employers and workers who can inform discussion of strategies and plans necessary to achieve the Committee's objectives.

    c. Direct, oversee, and implement stakeholder engagement, focusing on the engagement of agricultural and food processing workers and employers necessary to implement the Committee's objectives.

    d. Submit regular reports to the Governor, at frequencies determined by the Co-Chairs, that provide updates on progress toward achieving the Committee's objectives.

    e. By August 1, 2021, submit a written report to the Governor that sets out how the Committee's objectives will be achieved.

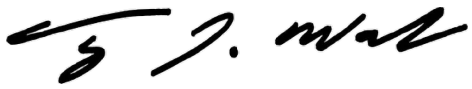
    f. Communicate recommendations within member networks, organizations, and associations.

9. MDA and DEED will provide staff and administrative support for the Committee. MDH and DLI will provide additional staffing and administrative support as necessary to assure effective coordination and communication. The Minnesota Department of Human Rights and MDE will provide technical expertise and advice to the Committee.

This Executive Order is effective fifteen days after publication in the State Register and filing with the Secretary of State. It will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2020, section 4.035, subdivision 3.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 19, 2021.



Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Filed on March 19, 2021
Office of the Minnesota
Secretary of State,
Steve Simon