

H2B Forest Workers Agenda

Thursday, December 2, 2010

10:00 – 12:00

The Summit Room, Corps of Engineers, 10th Floor
Robert Duncan Building, 333 SW First Avenue, Portland, Oregon

Facilitator: Margaret Petersen

Objectives:

1. Review agreements from 5.21.10 meeting (enclosed) and share findings or results
2. Provide update on contractor review across Oregon and Washington
3. Map a strategy to work on communication planning and training needs for FY 2011

10:00 Welcome and Introductions

Mary Wagner

10:10 Our baseline for 2011 – What we have learned

Charles Hill

10:30 What we have learned or completed since May

Reference the agreement list

Carl Wilmsen

Jeff Genkos

Charles Hill

Nargess Shadbeh

Fred Zensen

- Field trip
- Joint letters
- Radio
- Guidebook
- Forums
- Direction

11:00 Discussion on what is needed next

11:45 Recap agreements and next steps

12:00 Adjourn

H2B Forest Workers Meeting Agreements

Friday, May 21, 2010

Meeting Objectives:

1. Highlight contract work across Oregon and Washington
2. Identify an oversight trip to visit a representative site
3. Map a strategy to work together through this field season and to establish a baseline for FY 2011

Meeting Agreements:

1. Update the Forestry Working Conditions Checklist to reflect Oregon and Washington concerns. Lead: Nargess Shadbeh, Carl Wilmsen
2. Refer observations to DOL, OSHA, BOLI. Lead: All members, in particular FS.
3. Develop “sharing letter” for information between BOLI, DOL, OSHA and FS. Lead: Jeff Genkos
4. Invite Labor and Industries in Washington to the table. Get contact recommendations from Randy White and Jeff Genkos. Lead: Margaret Petersen
5. Establish a field visit (awareness visit) for partners this summer. Lead: Charles Hill
6. Draft joint letter with DOL, BOLI, OSHA, FS to send to the contractors explaining the heightened interest in contract worker health and safety. Lead: Jeff Genkos
7. Put together information, e.g. Forest Guild guidebook that informs contractors. Begin by reviewing Alliance information. Lead: Carl Wilmsen
8. Explore adding “Pre-work Meeting Dates” to the contract activity list via the advanced acquisition plan or designing a protocol which makes pre-work meeting dates known to DOL and OSHA as quickly as possible. Lead: Charles Hill
9. Arrange forum for meeting with workers that allows DOL, BOLI, OSHA, FS to explain worker’s rights. Lead: Carl Wilmsen
10. Use radio to get the messages out to targeted audiences in a timely manner. Lead: Al Matecko and Nargess Shadbeh.

11. COs and COTRs have a critical role in monitoring and documenting worker safety and health conditions. This will be further examined to improve oversight. Lead: Fred Zensen, Tracy Beck, Dan Harkenrider.

12. **Next meeting:** The group desires meaningful, purpose driven meetings that fulfill common interests. Timing could be quarterly to 6 months. The next meeting will be a field visit. A second meeting will be scheduled for November. Key months that were named are: November, January/February, and May.

In attendance:

- Randy White, Area Director, OSHA, Oregon
- Ria Russell, Administrative Assistant, OSHA, Oregon
- Jeff Genkos, District Director, Department of Labor, Wage and Hour
- Carl Wilmsen, Executive Director of the Alliance of Forest Workers and Harvesters
- Nargess Shadbeh, Oregon Law Center
- Mary Wagner, Regional Forester, Pacific Northwest Region, Forest Service
- Charles Hill, Director of Acquisition Management, Forest Service
- Al Matecko, Director of Public Affairs, Forest Service
- Tracy Beck, Assistant Director of Natural Resources
- Fred Zensen, Regional Reforestation Program Manager
- Gerhard Taeubel, Compliance Manager, Wage and Hour Division, Bureau of Labor and Industries
- Sam Drill, OR-OSHA Safety Manager
- Laurie Abernathy, Supervisory Contract Specialist, Western Oregon Acquisition Team
- Carl Culham, Contractor
- CeCe Headley, Alliance of Forest Workers and Harvesters
- Janice Morgan, Farmworker Program Director, Legal Aid Services of Oregon
- Stephanie Coleman, Chief of Procurement, Bureau of Land Management
- Dan Harkenrider, Acting Regional Executive for Economic Recovery

April 9, 2010

**ACTION PLAN FOR IMPROVING THE SAFETY AND HEALTH
MONITORING OF LABOR INTENSIVE SERVICE CONTRACTS**

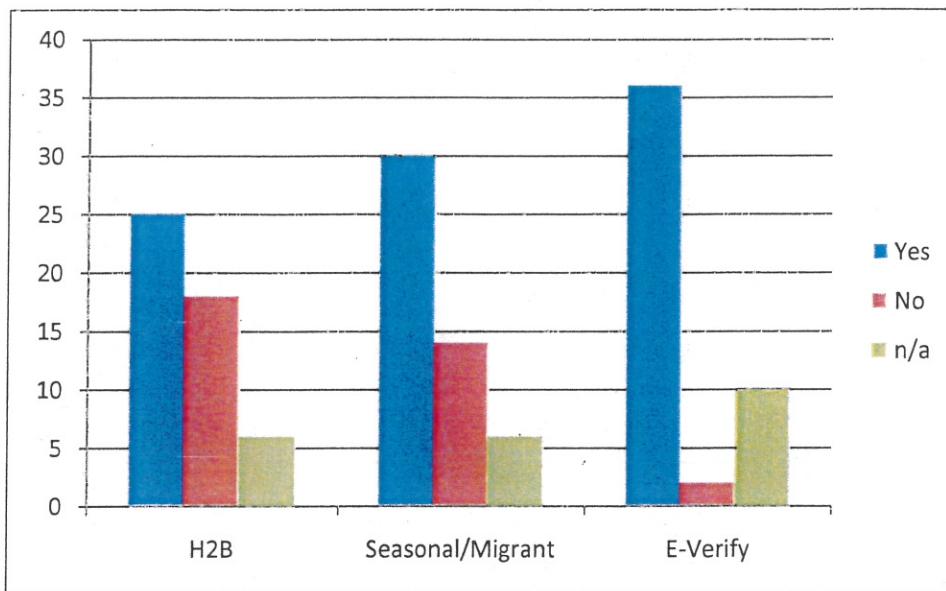
Action	Who is responsible	By when	Status
Engage the Acquisition Leadership Team to assure proactive compliance with health and safety clauses associated with the protection of the vulnerable H2B worker group.	Charles Hill, Acquisition Management	Quarterly	Completed Ongoing
Direct RLT to protect contracted workers to the same level as employees through conference call and letter. Ensure checklist included	Regional Forester	Annually	11/05/09 RLT conference call 11/09/09 letter
Direct COR/CO/Inspectors through letter to know policy and monitor appropriately. Ensure checklist included.	Charles Hill	Annually	Completed 12.15.09
Provide information for front liners and PAOs. Ensure checklist included.	Al Matecko, Public Affairs	Annually	Completed 12.1.09
Brief RLT at Hot Topics during meetings to monitor H2B worker issues in the Northwest.	Charles Hill	Quarterly	10.2009
Brief Ron Hooper, WO of R6 activities	Charles Hill	Ongoing	
Explore opportunities with DOL, OSHA, and NGOs for improving safety and health monitoring.	Regional Forester, [Charles Hill, Al Matecko]	Bi-annually	11.23.09
Target Reforestation, TSI and Restoration Service Contracts in updated Advanced Acquisition Plan to focus program level field monitoring.	Jose Linares, Natural Resources; Tracy Beck, Natural Resources	Monthly	12/15/2009
Assess/review of Fire & Aviation contracts with Oregon Department of Forestry's crew	Ken Snell, Aviation and	Monthly	

arrangements.	Fire Management		
Update LISC project monthly through the Advanced Acquisition Planning process. Document and flag all LISC projects. Acquire projects planned, awarded task orders, location, training & contracting officer for internal & external monitoring.	Charles Hill	Monthly through field season	
Add information on how to do business with the government for new Contractors.	Charles Hill		
Perform pre-proposal, pre-work and site inspection. Use RedFlag checklist. Invite DOL/OSHA to these meetings. Ask about contractors' workforce and document information. Initiate immediate contacts with DOL and OSHA at contract award for field compliance visits. Establish active contract field visits for awareness and monitoring. Establish contractor familiarity with H2B monitoring. Document contract inspections and results.	Contracting Officers	Daily through field season	
Host preseason meeting with partners to describe what we know and validate monitoring strategies.	Al Matecko and Charles Hill	Annually (05/2009)	
In pre-bid or proposal meetings, COs will ask whether H2B workers are going to be employed. If yes, this will be documented and field reviews will be monitored.	Charles Hill, Acquisition COs	Field Season Estimated: May to July	
Explore options for reforestation LISC monitoring with partner organizations. Document results. [Options include working with and through other federal agencies; contracting field based monitoring, and exploring opportunities for partner-based field sensing. Consider	Jose Linares, Tracy Beck, NGO Partner	Field Season Estimated: May to July	

opportunities for independent monitoring, surveys and assessments to assure effective oversight as one way to address capacity issue and worker reluctance to come forward].			
Provide annual COR training/orientation and expand to include DOL, OSHA, and partner presentations. [Consider use of long distance learning options such as AGLearn and DVDs. For FY2010, make COR training options known to partners and invite informal participation if they are available]. Document attendance and results.	Charles Hill	Full implementation 2011	
Arrange site visit for a sample of LISC this field season and include interested partners. Document results.	Charles Hill	Field Season Estimated: May to July	
Design a regional monitoring scheme and field review process for LISC to proactively manage health and safety clauses. Encourage joint site visits with OSHA, DOL.	Charles Hill	Post Field Season: November	
Implement regional level sampling and/or comprehensive review of all contract monitoring efforts. Document results.	Charles Hill	Annually	11/15/2009
Explore opportunities to provide an ombudsman role and outreach to forest workers	NGO Partner		
Explore available partner produced resources for communicating worker rights. Explore different communication methods such as radio spots that assure effective targeting of illiterate communities	Al Matecko		
Emphasize and focus on a culture of safety that includes contracted and employee safety through bumper, office and written briefings.	RLT		

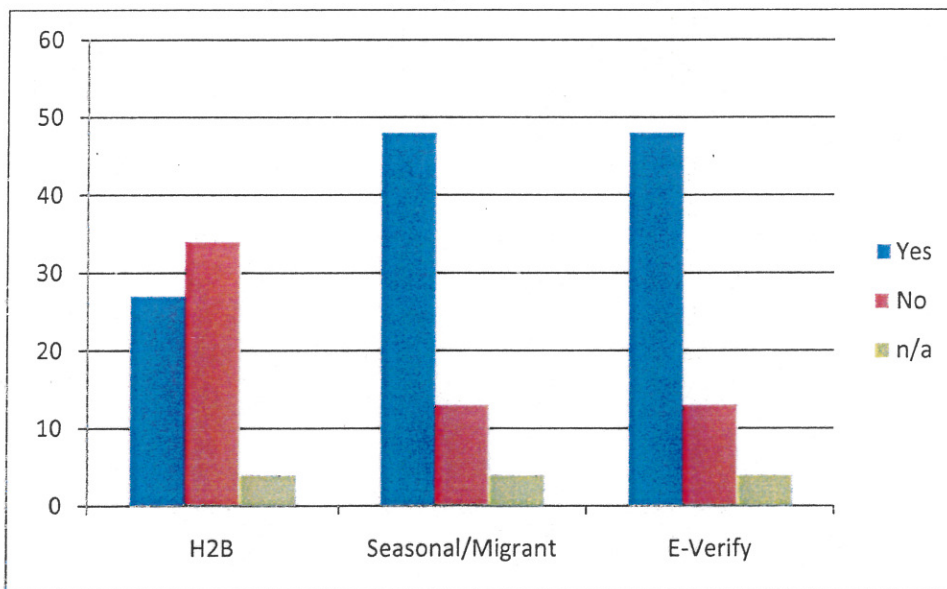
W.OR/SW OR Economic Recovery Projects

4. (Total Projects were 50)



W.OR/SW OR R6 Program of Work

(Total Projects were 65)



*N/A - No Data Returned

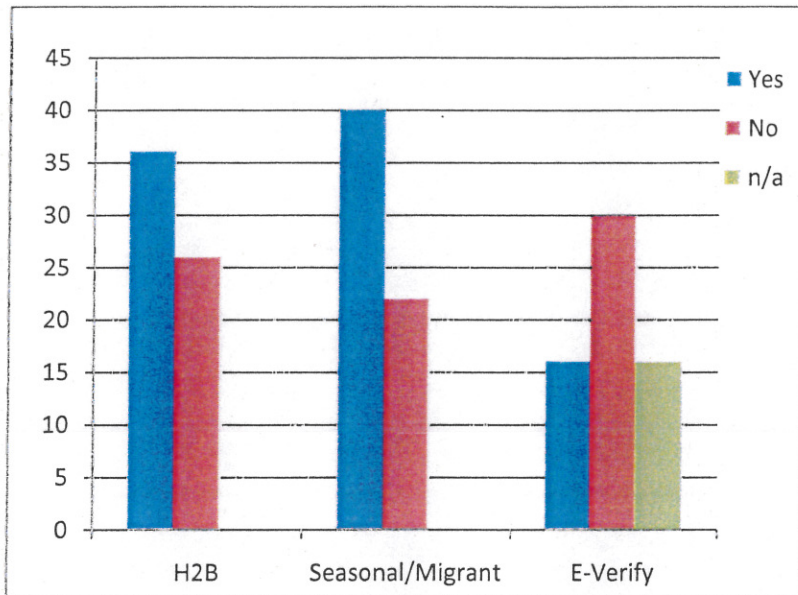
Projects not requiring e-verification (i.e. No employees)

Three questions were asked to contractors by telephone:

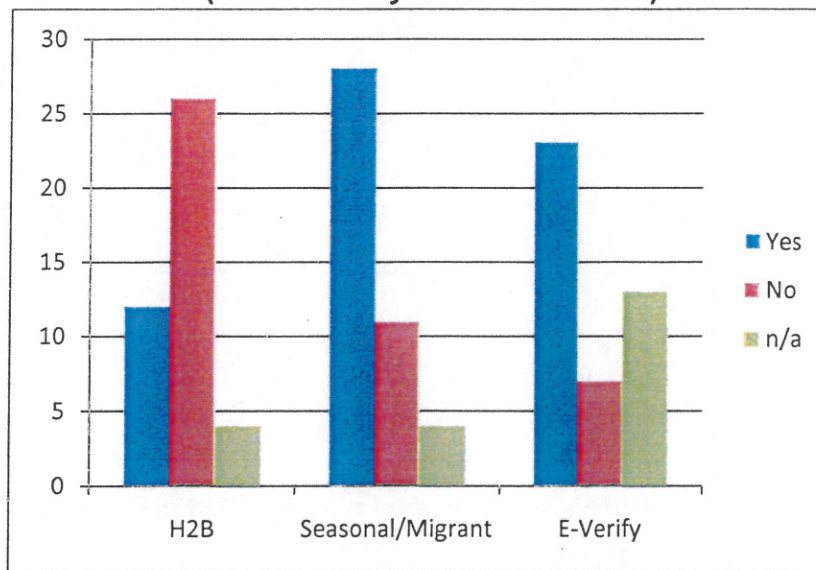
1. Were H2B Workers used for LISC Contracts?
2. Were Seasonal/Migrant Workers used for LISC Contracts?
3. Did you E-Verify for LISC Contracts?

**Note: Economic Recovery Project above and beyond regular Program of Work.

Blue Mountain Economic Recovery Projects (Total Projects were 62)



Blue Mountain R6 Program of Work (Total Projects were 42)



*N/A - No Data Returned

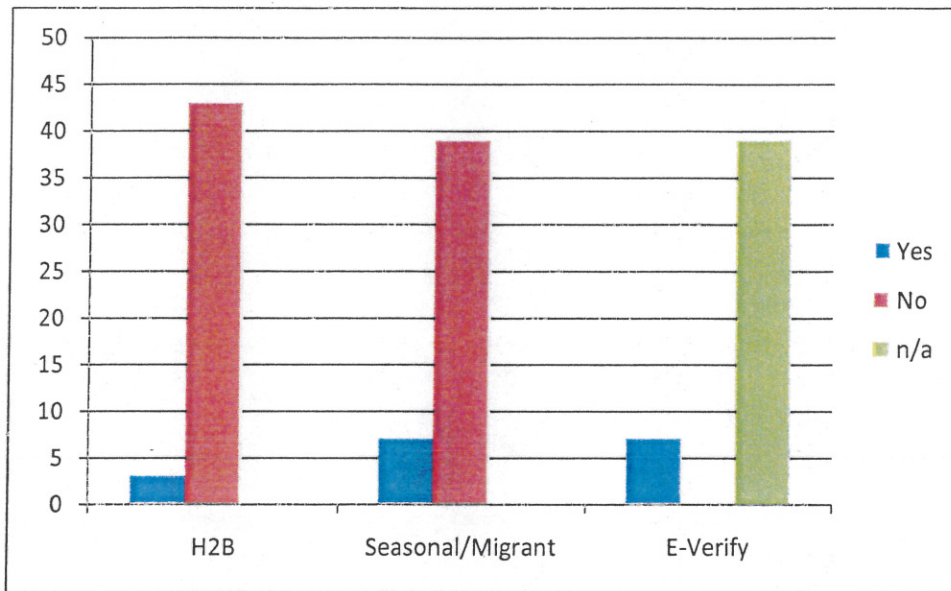
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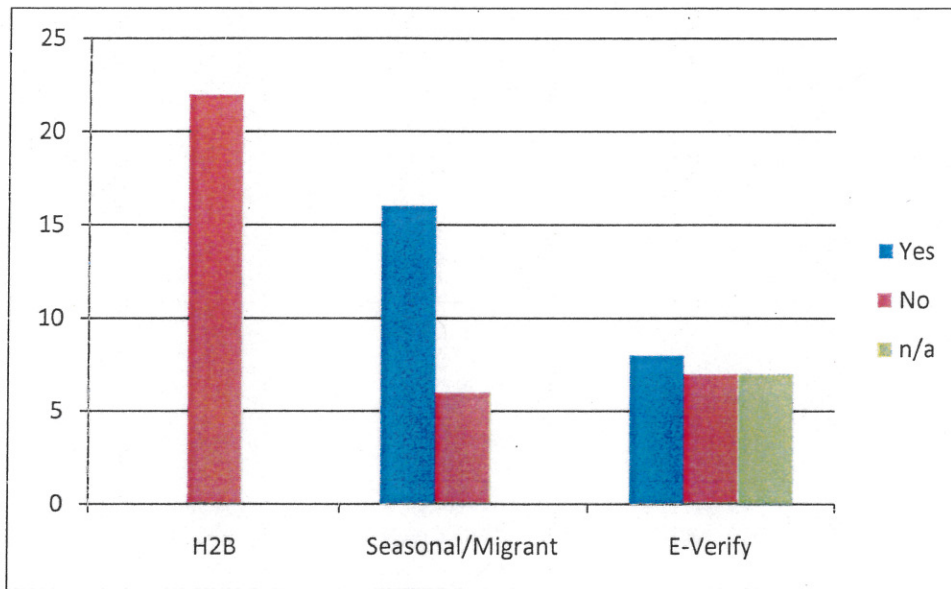
W.WA/NW OR Economic Recovery Projects

4. (Total Projects were 46)



W.WA/NW OR R6 Program of Work

(Total Projects were 22)



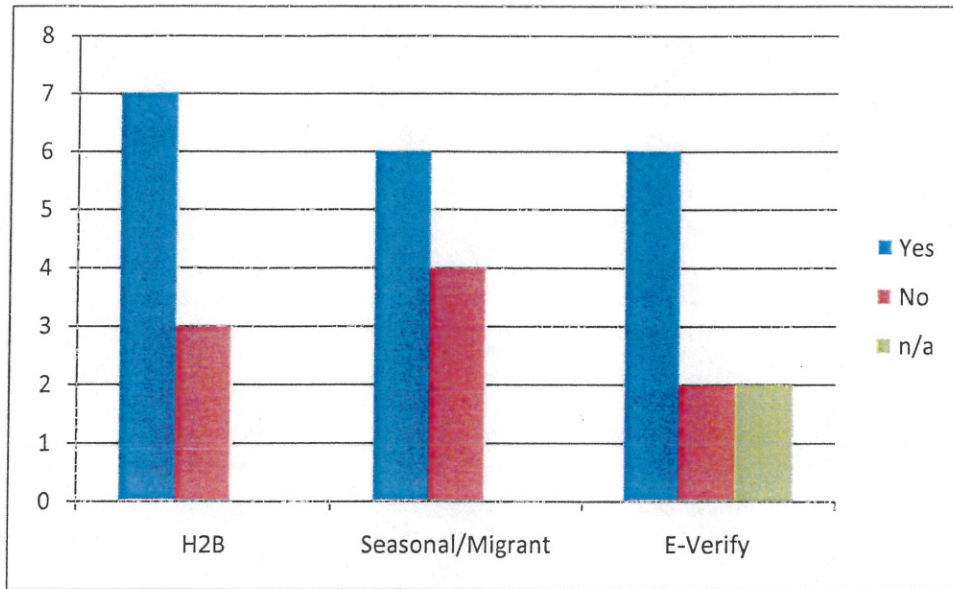
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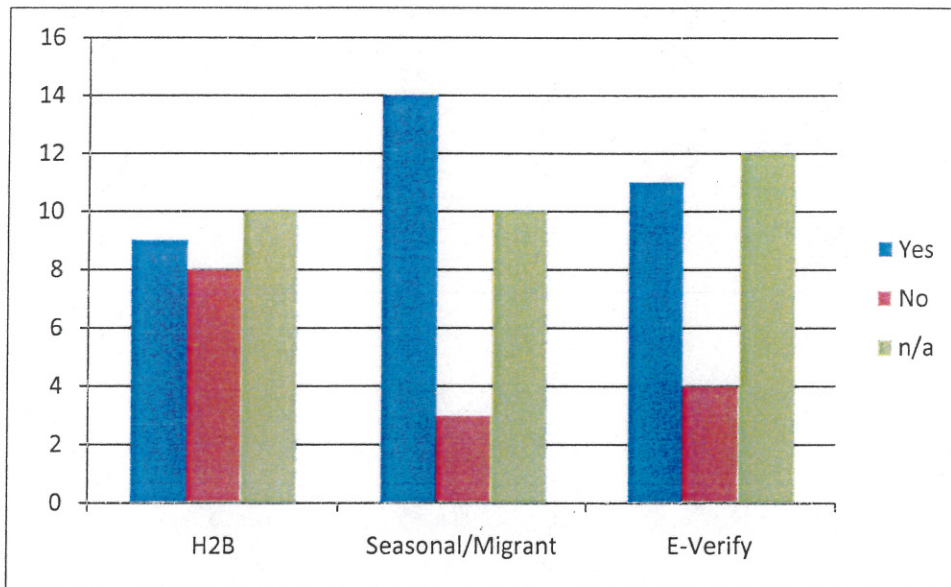
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E. Washington Economic Recovery Projects (Total Projects were 10)



E. Washington R6 Program of Work (Total Projects were 27)



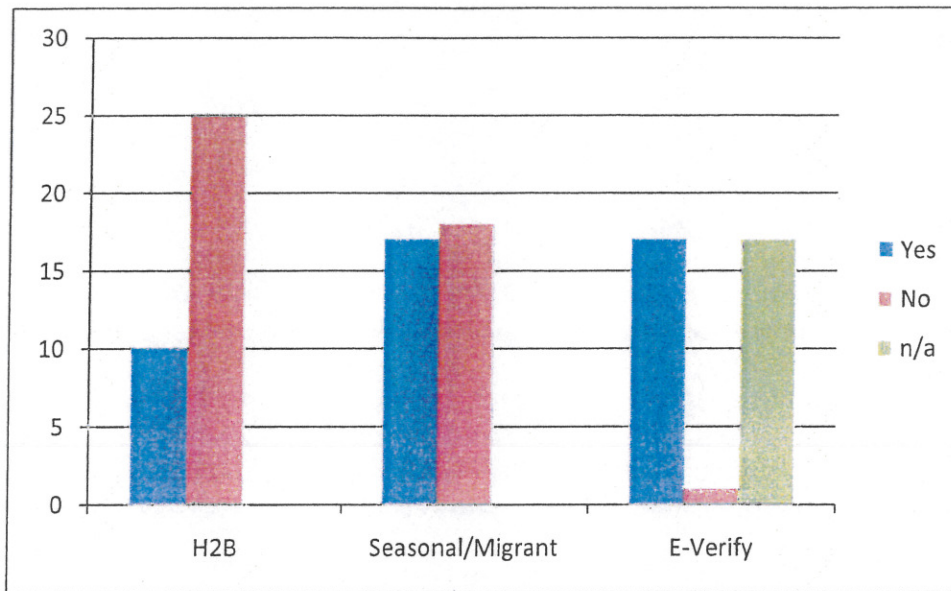
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Projects not requiring e-verification (i.e. No employees)

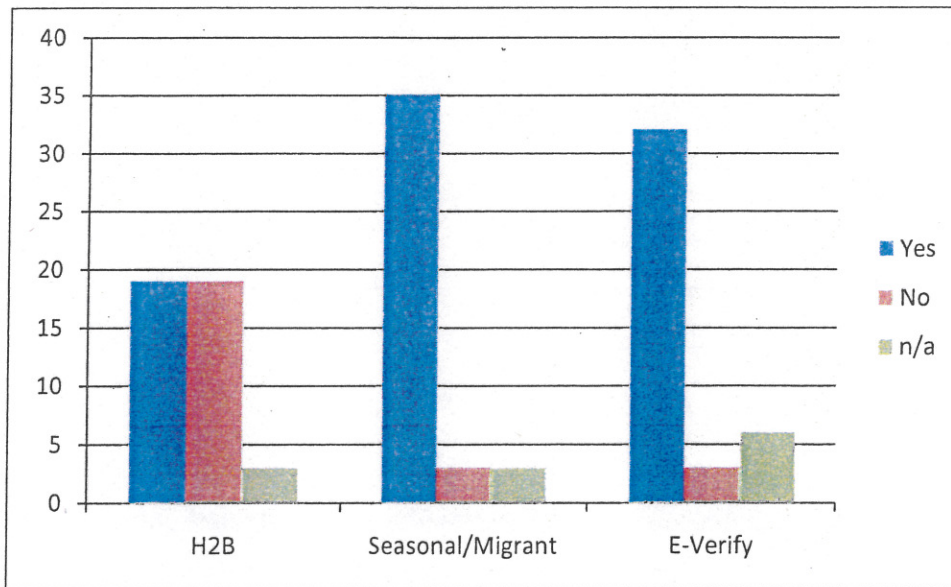
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Central Oregon Economic Recovery Projects (Total Projects were 36)



Central Oregon R6 Program of Work (Total Projects were 41)



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Projects not requiring e-verification (i.e. No employees)

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2. Were Seasonal/Migrant Workers used for LISC Contracts?
3. Did you E-Verify for LISC Contracts?