

1.1 moves to amend H.F. No. 4177, the delete everything amendment
1.2 (A22-0402), as follows:

1.3 Page 2, line 1, delete "4,329,000" and insert "4,279,000"

1.4 Page 2, line 4, delete "1,196,000" and insert "1,146,000"

1.5 Page 2, line 30, delete "\$1,000,000" and insert "\$750,000"

1.6 Page 2, after line 33, insert:

1.7 "(f) \$200,000 in fiscal year 2023 is to establish
1.8 a Veterans Liaison Coordinator position in the
1.9 Registered Apprenticeship Division. The
1.10 position shall be responsible for collaborating
1.11 with Minnesota stakeholders, and state and
1.12 federal agencies to promote and increase
1.13 Veterans in the trades, support initiatives for
1.14 Veterans seeking living wage, sustainable
1.15 employment, and increase awareness of
1.16 registered apprenticeship opportunities in
1.17 Minnesota. Of this amount, up to \$150,000 is
1.18 for salary and benefits for the position, and
1.19 \$50,000 is for administrative support services,
1.20 marketing, and paid communications. In fiscal
1.21 year 2024, the base for this appropriation is
1.22 \$180,000. In fiscal year 2025, the base for this
1.23 appropriation is \$160,000."

1.24 Page 3, line 12, delete "3,357,000" and insert "2,900,000"

1.25 Page 3, line 13, delete "\$3,357,000" and insert "\$2,900,000"

2.1 Page 3, after line 18, insert:

2.2 "Subd. 6. Agricultural Worker Wellness -0- 507,000

2.3 (a) \$255,000 in fiscal year 2023 is for the
2.4 ombudsperson for the safety, health, and
2.5 well-being of agricultural and food processing
2.6 workers under Minnesota Statutes, section
2.7 179.911.

2.8 (b) \$252,000 in fiscal year 2023 is for the
2.9 agricultural worker wellness committee under
2.10 Minnesota Statutes, section 179.912."

2.11 Page 41, after line 19, insert:

2.12 **"ARTICLE 8**
2.13 **AGRICULTURAL WORKER WELLNESS**

2.14 Section 1. **[179.911] OMBUDSPERSON FOR THE SAFETY, HEALTH, AND**
2.15 **WELL-BEING OF AGRICULTURAL AND FOOD PROCESSING WORKERS.**

2.16 Subdivision 1. Definitions. (a) "Food processing" has the meaning given in section
2.17 181.635, subdivision 1, paragraph (d). Additionally, for the purpose of this section and
2.18 section 179.912, the term food processing includes meatpacking and poultry processing.

2.19 (b) "Agricultural work" is defined broadly to include, but is not limited to, farming in
2.20 all its branches including: dairy work; the field production, cultivation, growing, and
2.21 harvesting of any agricultural or horticultural commodity; and the raising of livestock, bees,
2.22 fur-bearing animals, and poultry.

2.23 Subd. 2. Appointment. The governor shall appoint an ombudsperson for the safety,
2.24 health, and well-being of agricultural and food processing workers. The person shall serve
2.25 in the unclassified service to assist agricultural and food processing workers with housing,
2.26 workplace safety, fair labor standards, and other challenges. The ombudsperson must be
2.27 selected without regard to the person's political affiliation. The ombudsperson shall serve
2.28 a term of four years, which may be renewed, and may be removed prior to the end of the
2.29 term for just cause.

2.30 Subd. 3. Qualifications. The ombudsperson must be highly competent and qualified to
2.31 analyze questions of law, administration, and public policy regarding the safety, health, and
2.32 well-being of agricultural and food processing workers. The ombudsperson must have

3.1 knowledge and experience in the fields of workplace safety, housing, and fair labor standards.
3.2 The ombudsperson must be familiar with governmental entities and their roles, interpretation
3.3 of laws and regulations, record keeping, report writing, public speaking, and management.
3.4 In addition, the ombudsperson must have experience working with agricultural and food
3.5 processing workers, and must be knowledgeable about the needs and experiences of those
3.6 communities. No individual may serve as the ombudsperson for the safety, health, and
3.7 well-being of agricultural and food processing workers while running for or holding any
3.8 other public office. The ombudsperson must speak fluently in a language in addition to
3.9 English that is commonly used by agricultural and food processing workers.

3.10 Subd. 4. Duties. (a) The ombudsperson's duties shall include, but are not limited to, the
3.11 following:

3.12 (1) creating and collecting educational materials in relevant languages to orient
3.13 agricultural and food processing workers about their rights under Minnesota laws and rules
3.14 and state services available to them;

3.15 (2) outreach to agricultural and food processing stakeholders, including workers and
3.16 employers, to inform them of the services of the office in order to support workers in
3.17 navigating their concerns;

3.18 (3) acting as a member of the Minnesota Migrant Services Consortium and having a
3.19 formal relationship with any other relevant and appropriate state committees, work groups,
3.20 or task forces engaged in work related to agricultural and food processing workers;

3.21 (4) coordinating across state agencies to develop strategies to better assist agricultural
3.22 and food processing workers;

3.23 (5) providing recommendations to state agencies for coordinated communication strategies
3.24 to promote workplace safety, adequate housing, fair labor standards, and other issues for
3.25 agricultural and food processing workers;

3.26 (6) offering accessible methods of contact including telephone, text, and virtual
3.27 communication platforms to answer questions, receive complaints, and discuss agency
3.28 actions with agricultural stakeholders; and

3.29 (7) addressing complaints and requests for assistance related to workplace safety, housing,
3.30 labor standards, and other concerns by supporting agricultural stakeholders in navigating
3.31 regulatory authorities.

3.32 (b) The ombudsperson must report to the commissioner annually by December 31 on
3.33 the services provided by the ombudsperson to agricultural and food processing workers,

4.1 including the number of stakeholders served and the activities of the ombudsperson in
4.2 carrying out the duties under this section. The commissioner shall determine the form of
4.3 the report and may specify additional reporting requirements.

4.4 Subd. 5. **Complaints.** The ombudsperson may receive a complaint from any source
4.5 concerning an action of an agency, facility, or program. After completing a review, the
4.6 ombudsperson shall inform the complainant, agency, facility, or program.

4.7 Subd. 6. **Access to records.** (a) The ombudsperson or designee, excluding volunteers,
4.8 has access to any data of a state agency necessary for the discharge of the ombudsperson's
4.9 duties, including records classified as confidential data on individuals or private data on
4.10 individuals under chapter 13 or any other law. The ombudsperson's data request must relate
4.11 to a specific case and is subject to section 13.03, subdivision 4. If the data concerns an
4.12 individual, the ombudsperson or designee shall first obtain the individual's consent. If the
4.13 individual is unable to consent and has no parent or legal guardian, then the ombudsperson's
4.14 or designee's access to the data is authorized by this section.

4.15 (b) The ombudsperson and designee must adhere to chapter 13 and must not disseminate
4.16 any private or confidential data on individuals unless specifically authorized by state, local,
4.17 or federal law or pursuant to a court order.

4.18 Subd. 7. **Staff support.** The ombudsperson may appoint and compensate out of available
4.19 funds a confidential secretary in the unclassified service as authorized by law. The
4.20 ombudsperson and the ombudsperson's full-time staff are members of the Minnesota State
4.21 Retirement Association. The ombudsperson may delegate to staff members any authority
4.22 or duties of the office, except the duty to provide reports to the governor, commissioner, or
4.23 the legislature.

4.24 Subd. 8. **Independence of action.** In carrying out the duties under this section, the
4.25 ombudsperson may provide testimony to the legislature, make periodic reports to the
4.26 legislature, and address areas of concern to agricultural and food processing workers.

4.27 Subd. 9. **Civil actions.** The ombudsperson and designees are not civilly liable for any
4.28 action taken under this section if the action was taken in good faith, was within the scope
4.29 of the ombudsperson's authority, and did not constitute willful or reckless misconduct.

4.30 Subd. 10. **Posting.** (a) The commissioners of labor and industry, employment and
4.31 economic development, health, administration, and human rights shall post on their
4.32 departments' websites, the mailing address, e-mail address, and telephone number for the
4.33 ombudsperson's office. The commissioners shall provide agricultural stakeholders with the
4.34 mailing address, e-mail address, and telephone number of the ombudsperson's office upon

5.1 request. Departmental programs or contractors providing services to agricultural stakeholders
5.2 must provide those stakeholders with the mailing address, e-mail address, and telephone
5.3 number of the ombudsperson's office upon request.

5.4 (b) The ombudsperson must approve all postings and notices required by the departments
5.5 and counties under this subdivision.

5.6 **Sec. 2. [179.912] AGRICULTURAL WORKER WELLNESS COMMITTEE.**

5.7 Subdivision 1. **Agricultural worker wellness committee established.** The Agricultural
5.8 Worker Wellness Committee is established to carry out the work of the committee established
5.9 by the governor's Executive Order No. 21-14. The commissioner of labor and industry shall
5.10 hire two full-time equivalent staff to support the committee.

5.11 Subd. 2. **Definitions.** For the purposes of this section "food processing" and "agricultural
5.12 work" have the meanings under section 179.911, subdivision 1.

5.13 Subd. 3. **Membership.** (a) The committee shall consist of up to 21 voting members who
5.14 shall serve three-year terms including, at a minimum:

5.15 (1) the commissioners: of labor and industry, employment and economic development,
5.16 agriculture, health, and housing finance, or their designees; and

5.17 (2) the following members appointed by the governor:

5.18 (i) one representative from the Migrant Services Consortium;

5.19 (ii) three representatives of agricultural employers;

5.20 (iii) three at-large representatives from geographic regions of the state dependent on the
5.21 agricultural sector;

5.22 (iv) three representatives of community-based organizations with expertise in agricultural
5.23 workers and communities; and

5.24 (v) three union representatives.

5.25 (b) Other commissioners or their designees not named in paragraph (a), clause (1), may
5.26 serve on the board as nonvoting members.

5.27 Subd. 4. **Membership terms; compensation.** (a) The governor shall make initial
5.28 appointments to the board by October 1, 2022. Initial appointments shall serve staggered
5.29 terms of three years or as determined by the secretary of state.

5.30 (b) Members shall be compensated as provided in section 15.0575, subdivision 3.

6.1 Subd. 5. **Chairs; other officers.** The commissioners of agriculture and labor and industry
6.2 or their designees shall serve as co-chairs of the committee. The committee may elect other
6.3 officers as necessary from its members.

6.4 Subd. 6. **Committee responsibilities.** The committee shall:

6.5 (1) analyze and recommend policies to address housing, workplace safety, and fair labor
6.6 issues faced by migrant, food processing, and meatpacking agricultural workers;

6.7 (2) serve as an ongoing forum for the stakeholder groups represented on the committee
6.8 and coordinate state, local, and private partners' collaborative work to maintain a healthy
6.9 and equitable agricultural and food processing industry which is foundational to Minnesota's
6.10 economy; and

6.11 (3) coordinate and support pandemic response and public health initiatives as they affect
6.12 agricultural and food processing workers in upcoming growing, harvesting, and processing
6.13 seasons.

6.14 Subd. 7. **Central inventory of reports and analyses on agricultural and food**
6.15 **processing workers.** Within available appropriations and in collaboration with stakeholders,
6.16 the committee shall work to establish a central inventory of data reports and analyses
6.17 regarding agricultural and food processing workers, including demographic information
6.18 and definitions of agricultural and food processing workers to help policymakers in state
6.19 and local government agencies, stakeholders, and the public to understand the population
6.20 needs and assets and to advance state and local initiatives.

6.21 Subd. 8. **Reports to legislature and governor.** The committee shall present to the
6.22 governor and chairs and ranking minority members of the legislative committees with
6.23 jurisdiction over economic development and agriculture an annual work plan and report
6.24 regarding its accomplishments. Measurements of success must include tracking:

6.25 (1) stakeholder engagement;

6.26 (2) efficient and effective response to pandemic or other disruptions of growing,
6.27 harvesting, and processing seasons;

6.28 (3) increased coordination among governmental, employer, and advocacy organizations
6.29 connected to the agricultural and food processing industry; and

6.30 (4) advancement of recommendations that strengthen the industry."

6.31 Amend the title accordingly