

THE QUARTERLY HARVEST

DECEMBER 2022, ISSUE IX

INSIDE THIS ISSUE:

GREETINGS - 1
UNEMPLOYMENT INSURANCE BENEFITS - 1
NEEDS ASSESSMENT- 3
C.A.R.E. CLINIC - 3
ABOUT THE AWP - 4
STAFF SPOTLIGHT- 4
CONTACT THE AWP - 4

As 2022 comes to an end, the AWP would like to take this time to thank our clients and our community partners for the opportunity to work with you. We are grateful for you. This year we interacted and spoke with over 550 agricultural workers throughout Minnesota and North Dakota and provided education about their legal rights.

Farmworkers impact our lives every day as they are responsible for planting and harvesting the foods we eat every day. So, let's celebrate their hard work. Farmworkers, we see and appreciate you today and every day!

We hope the newsletter continues to be a great learning tool for you. Read on to learn about various topics.

Wishing you and your family the happiest holiday season and a Happy New Year!

Griselt Andrade, AWP Lead Attorney

UNEMPLOYMENT INSURANCE BENEFITS

Have you become unemployed or had your hours greatly reduced through no fault of your own? Are you looking for temporary cash benefits while you search for new employment opportunities or wait to return to your seasonal job? In this article, you will learn how you become eligible for Unemployment Insurance (UI) benefits, how to apply, and what to do if you are denied UI benefits.

Are you eligible to receive UI benefits?

Each state has its own set of eligibility guidelines for UI benefits, but generally you must meet the following criteria:

- Be unemployed or had your hours greatly reduced through no fault of your own;
- Must have earned enough wages in the year before applying;
- Be authorized to work in the United States; and
- Be able to work and be available to begin suitable work without delay when offered.

There may be additional eligibility requirements depending on the state and you can find additional information by using the [U.S. Department of Labor's Unemployment Benefits Finder.](#)

How do you apply for UI benefits?

To receive UI benefits, you need to file a claim with the UI office in the state where you worked. If you worked in multiple states or worked in a different state than where you reside, you should contact your current state's UI office for guidance on where to apply. You can apply online or by telephone to start a claim. You will be asked for information, such as addresses and dates of your former employment. It generally takes two to three weeks after you file your claim to receive your first UI benefit payment.

How do you stay eligible for UI benefits?

After your claim is approved, most states require the following to maintain weekly eligibility:

- File weekly claims, usually by mail or phone.
- Be able to work, available to work, and actively seek work each week you claim benefits.
- Report any earnings from work you had during the week(s). States have different rules for how much money you can earn while receiving benefits.
- Report any job offers or job offers you decline during the week.
- Some states require registration for work with the State Employment Service, so it can assist you in finding employment.
- Meet any other state eligibility requirements.

How long will your UI benefits last?

Generally, unemployment benefits are based on a percentage of your earnings over a recent 52-week period - up to a state maximum amount.

- Benefits can be paid for a maximum of 26 weeks in most states.
- Additional weeks of benefits, called Extended Benefits, may be available during times of high unemployment.
- Benefits are subject to federal income taxes and must be reported on your federal income tax return, or you may elect to have the tax withheld by the State Unemployment Insurance agency.

What if you are denied UI benefits?

If your claim is not approved and you disagree with the decision, you can file an appeal. Instructions for filing an appeal are printed on all determinations. An appeal must be filed electronically, mailed, or faxed by the deadline date listed in the determination. It is very important you read all letters you receive about your UI claim. You can get a translation from the UI office if needed. You must respond to all requests for information on time and with true and complete information. Ask questions if you do not understand what to do.

After you file the appeal, a hearing will be scheduled with an Unemployment Law Judge. The hearings are conducted by telephone.

It is important that you participate in the appeal hearing. If you do not participate, the judge may dismiss the appeal. Your employer may also participate in the appeal hearing.

After the appeal hearing and generally within 20 days, the judge will issue a written decision, either agreeing with or changing the original determination. The judge's decision can be appealed.

Contact Our Office

If you were denied unemployment insurance benefits and you disagree with the decision, the Agricultural Worker Project (AWP) may be able to help you appeal your denial. It is **extremely important** to contact the AWP at 1-800-652-9733 as soon as you receive your denial determination as there are short deadlines that must be met.

NEEDS ASSESSMENT PROJECT

Clients are the reason that Southern Minnesota Regional Legal Services (SMRLS) and the Agricultural Worker Project (AWP) exist. The AWP's regular interactions with agricultural workers during outreach trips and cases inform the team about issues and needs impacting the client community. A legal needs assessment is another tool that enables legal aid providers, like SMRLS, to ensure that our case priorities are relevant. The AWP last conducted such an assessment in 2006 – although that project focused on migrant workers in Minnesota and North Dakota.

To enhance the AWP's understanding of the current ideas, needs, and concerns of agricultural workers in Minnesota and North Dakota, a needs assessment was conducted in 2021. Hispanic Advocacy and Community Empowerment through Research (HACER) collaborated with the AWP on this project. Fifty-one (51) workers and their household members were interviewed through 10 virtual focus groups. Additionally, surveys were distributed to agricultural workers across both states. One hundred and thirty-one (131) agricultural workers responded to the survey, which asked about topics such as employment, immigration, housing, and awareness of legal rights.

The needs assessment report notes that employment and immigration are areas in which agricultural workers need legal aid, although more detailed information about those needs is necessary. A more thorough understanding of workers' rights and access to housing are also of interest to these workers.



C.A.R.E. Clinic (Community, Access, Resources, and Education) is a non-profit organization designed to provide free medical aid to individuals within Goodhue County and Lake City, Minnesota. The clinic is located at 906 College Avenue, Red Wing, MN 55066.

Medical and mental health services are available every Tuesday from 4 - 8 p.m. on a first come, first served basis. Registration begins at 4 p.m. and closes at 6:30 p.m. However, dental services are offered Monday to Thursday from 8 a.m. - 4 p.m. For more information, please visit the C.A.R.E. Clinic website: www.careclinicrw.com.

The AWP visits the clinic at least once a month, on Tuesday, in order to interact with agricultural workers who visit the clinic. Staff distribute legal rights calendars and information about renewing Green Cards, and are available for initial client screenings.

Many community resources are available in the areas of health, housing, legal services, job needs, food and public benefits, and filing complaints in North Dakota and Minnesota. For more information on other resources, please visit the last page of our Calendar or Resources Page.

CONTACT THE AWP



Intake line: 1-800-652-9733



Call or send a text/WhatsApp: 507-475-0804 (Minnesota) or 701-212-2642 (North Dakota)



Email: awp@smrls.org



[Fb.com/AgWProject](https://fb.com/AgWProject)



Hours: Monday–Friday
8 a.m. – 5 p.m.



We speak English and Spanish and have interpreters available in other languages.

STAFF SPOTLIGHT: PETER

Name of staff member: Peter Murray

Staff Attorney with the AWP since June 2022



Staff pictured: Peter Murray

I am so glad I joined the Agricultural Worker Project this year! Almost right away, I hit the road with our energetic team on outreach trips speaking directly with farmworkers. I am always humbled and awed by the compassion, resilience, and hard work of the folks we meet.

Before the AWP, I worked for a judge and with the National Labor Relations Board in Minneapolis. Outside of work, I love to cook, be outdoors (outreach trips included!), and spend time with my partner and our dog, Edgar.

ABOUT THE AWP

Are you working or have you recently worked in agriculture in Minnesota or North Dakota? Do you have a legal question or concern related to that work? If so, SMRLS' Agricultural Worker Project may be able to help. We assist agricultural workers with employment-related legal issues and are committed to improving the working and living conditions of agricultural workers in Minnesota and North Dakota.