

MEMORANDUM OF COOPERATION
THE CONSULATE OF MEXICO IN SEATTLE, WASHINGTON
AND
THE WASHINGTON STATE EMPLOYMENT SECURITY DEPARTMENT
on
SUPPORTING WORKERS RIGHTS AND RESPONSIBILITIES

The Consulate of Mexico in Seattle, Washington (“the Consulate”) and the Washington State Employment Security Department (“ESD”), hereinafter referred collectively as “the Participants”;

PROCLAIMING their joint efforts to share information about ESD’s programs and services, including those of Migrant Seasonal Farmworkers (“MSFWs”), in a way that meets their unique needs, and to monitor compliance of governing labor laws; and

RECOGNIZING that a Memorandum of Cooperation (MOC) between the Participants will strengthen and clarify a process for sharing information about unemployment insurance, training programs and benefits, as well as employment services provided by the workforce development system.

WHEREAS the Agricultural Services Unit is responsible for providing statewide coordination of the MSFW and Foreign Labor (H-2A, H-2B) Certification programs, and it employs a full-time State Monitor Advocate (SMA), to review delivery of employment services and protections afforded by federal regulations, and report performance data to the U.S. Department of Labor.

The Memorandum of Cooperation aims to achieve the following:

Overall Objectives

The Participants intend to strengthen a collaborative relationship to provide Mexican nationals in the state of Washington, with information, guidance and access to employment and unemployment programs and services, and to help them understand their rights and responsibilities under the unemployment insurance program.

The Participants also intend to share information on laws and standards, including those relating to worker rights and responsibilities.

Specific Objectives

The Participants also intend to collaborate through exchange of information on concerns and complaints provided by Mexican nationals regarding workers' rights violations in the state of Washington, through the following process:

- The Consulate should inform ESD about concerns and complaints received about Mexican workers' rights violations in the state of Washington.
- ESD through the SMA, should receive the referred complaints and log them into the SMA Complaint Log.
- The SMA should investigate and resolve the concerns and complaints that meet specific criteria prescribed in 20 CFR 658, while sharing the outcome with the Consulate, provided the complainant gives express consent.
- In accordance with ESD's complaint policies and procedures, complaints ineligible for informal resolution, or those in which informal resolution has failed to resolve should be referred to the appropriate enforcement agency, and followed until a final finding.

Outreach and Communication

The Participants intend to work together to achieve the following outreach and communication goals:

- To speak, exhibit or appear at Participants' conferences, local meetings, or other events, such as "Consulado sobre Ruedas," radio spots, Labor Rights Week, etc.
- ESD intends to continue developing and sharing information in Spanish (e.g., print, electronic and social media, and ESD's Web applications).

Implementation and Effect

An implementation team from each Participant intends to meet to develop an action plan identifying Participants' roles and responsibilities. In addition, Participants intend to meet at least two (2) times per year to track and share information on activities geared to achieving goals toward the objectives under this Arrangement.

Nothing in this MOC binds Participants to any funds expenditure.

This MOC comes into effect upon signature by both Participants, and remains in force for a period of two (2) years after the signature date. This MOC can be renewed, or amended in writing at any time by mutual consent of the Participants. A Participant should endeavor to provide thirty (30) days advance written notice of its intent to terminate its participation.

Signed in Seattle, Washington, in duplicate, this ____ day of _____, 2018, in the Spanish and English languages.

**FOR THE WASHINGTON STATE
EMPLOYMENT SECURITY
DEPARTMENT**

**FOR THE CONSULATE OF MEXICO
IN SEATTLE, WASHINGTON**

Suzan G. LeVine
Commissioner

Roberto Dondisch Glowinski
Consul