



APS

Agri-Placement Services, Inc.

THE APS ADVISOR: RECENT NEWS

A WORKFORCE YOU CAN RELY ON!

DECEMBER 2012

OUR MISSION IS TO ENSURE A STABLE AND CONSISTENT LABOR FORCE FOR DAIRY FARMS AND OTHER BUSINESSES, IMPLEMENTING MORALLY SOUND PRINCIPLES OF HUMAN RESOURCES MANAGEMENT FOR EMPLOYERS AND THEIR EMPLOYEES.

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Same President, Same Congress, Different Attitude

By F. Brandon Mallory

Now that the election is over, we will face the same Federal Administration and a very similar Congress for four more years. What will be different? I say attitude. President Obama has made immigration reform his top priority after dealing with the so-called "fiscal cliff". He wants a path to citizenship for undocumented workers and a wholesale reworking of the system such that illegal immigration is no longer attractive to foreigners. Republicans also seem more amenable than ever to reform the country's immigration laws, although a blanket amnesty will be an impediment to many. There appear to be both challenges and opportunities, but little hope anything substantive will be done in a lame-duck session. The most we can hope for through December is work toward resolution of the pending fiscal cliff—the actual result remains unseen.

Some are saying the Republicans' willingness to tackle

immigration now is not a reaction to losing the presidential election, but evidence points to the contrary. When Obama announced last June that he was granting temporary reprieves from deportation to hundreds of thousands of young people, he effectively implemented crucial elements of the proposed Dream Act, which had failed to pass Congress because of Republican opposition. Obama's executive action extended protection from deportation for 2 years to the children of undocumented workers and enabled them to be employed legally in the U.S. Polls showed 58% of Latino voters said the President's actions made them "more enthusiastic". Hispanic vote in the presidential election may have well been the difference. For whatever reason, the President and leading Republicans seem more willing than ever to work cooperatively toward a solution.

Nevertheless, for the immediate future, the agricultural industry will continue to face labor law enforcement activity. We expect similar or increased U.S. Department of Labor Wage and Hour and

state wage and hour auditing, a continued unfriendly H-2A process (although the electronic filing of H-2A applications being implemented this month is seen by most as positive), I-9 auditing and a continuation toward full implementation of the Affordable Care Act in 2014. Yet, beginning with the new Congress, we believe we will have an opportunity to work toward a resolution of the national immigration crisis as it relates to agriculture to include legal presence of existing workers and a workable and sustainable future flow of agricultural laborers.

In mid-December, APS will meet to discuss strategy for the immediate future with several leading agricultural organizations including ACIR, Farm Credit, Dairyalea, NY Farm Bureau, DFA and leaders of Northeast Dairy Farmers Cooperatives, Bob Gray and Mike Oscar. We plan to view the legislative lay of the land on immigration reform in Washington D.C. in preparation for what we believe will be viable opportunities to finally tackle in earnest the agricultural labor dilemma. <http://www.politico.com/news/stories/1112/83552.html>

Child Tax Credit Update

By Peter Conlon

The Internal Revenue Service (IRS) has put in place new documentation requirements designed to curb abuse of the Child Tax Credit by immigrants who should not qualify for it. The practice of undocumented immigrants in the U.S. claiming the tax credit for children who do not reside in the U.S. had become widespread and something noticed by many dairy farmers who have received government mail for people not living at the farm. Usually this mail is Individual Tax Identification Numbers that allow immigrants without valid Social Security numbers to claim the tax credit, often resulting in government checks for thousands of dollars. This fall the IRS ruled that anyone applying for an ITIN, including children and spouses, must submit original documents, such as birth certificates, not just photocopies. This higher bar is expected to create a sharp drop in claims.

Building Loyalty

By Peter Conlon

It is no secret that the pool of available, agricultural farmworkers is much smaller than in previous years. Farms often lose employees to nearby farms offering higher pay, better housing or a positive work/life environment. Employee turnover can be one of the most frustrating parts of farm management. Unfortunately for some farms, competing with increased price points on pay and housing is becoming more difficult. Fortunately, providing a positive work/life environment can cost very little and provide the biggest payoff in curbing frequent employee turnover.

As a farm employer or manager, you should seek to create a workplace where your employees feel comfortable, welcomed and supported, especially your Hispanic employees. A few small, positive changes can dramatically change the level of respect in the workplace as well as affect the sense of loyalty your employees feel toward you and your farm:

- **Basic greetings.** Offering employees a simple “Buenos días. ¿Cómo estás?” upon encountering them each day may sound like a small gesture, but doing so is a sign of respect. Conversely, not doing so can be seen as a sign of disrespect. If uncomfortable saying this in Spanish, doing this in clearly spoken English means just as much. Cost: Free.
- **Noticing a job well done.** A simple pat on the back or a “thumbs up” to show appreciation requires no language skills, but can mean the world to your employees. Doing this on a regular basis shows your employees you are proud of them, and this will prompt them to take pride in their work and feel confident in their performance. Cost: Free.
- **Asking about family.** Many Hispanic farmworkers are working in the U.S. to financially support their families abroad. Asking about their loved ones and sharing pictures once again shows that you care about them. Cost: Free.
- **Small improvements.** Hispanic farmworkers are often reticent to ask for household items or alert their employers to housing needs and issues. Be proactive. Regularly ask if everything is working properly in the house. Without being asked, buy a new pot or pan occasionally, or pick up cheap or used silverware, plates, bowls and glasses. Employee housing always needs more, but employees are often hesitant to ask. It is not uncommon for them to let a situation get bad enough causing them to leave for a better situation, never having mentioned anything. Cost: Very little.
- **Small rewards.** Pizza and soda or brownies every now and then makes everyone feel appreciated. Cost: Very little.
- **Be on their side.** If your employees are performing well, please don't treat their needs, questions, health issues or problems as annoyances. If you can't address their concerns when first brought to your attention, smile and reassure them you heard them and will deal with it later. Then be sure to follow through expeditiously. Cost: Free.

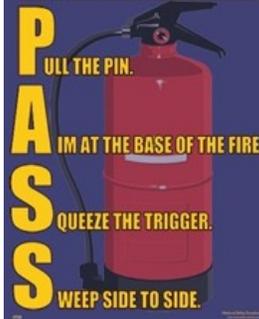
What is the common thread of these recommendations? They cost very little or nothing. In my experience visiting 20 farms a month regularly for 7 years, simple steps pay huge dividends. I visit farms with employees in less-than-attractive housing with standard pay where turnover is nearly non-existent, and farms with enviable housing and decent pay where turnover is an ever-present threat. The difference? Attentive employers who build loyalty in their employees by caring about them as people with needs on a daily basis.

Basic Fire Safety

By Peter Conlon

In recent years, two client farms in the Northeast have experienced fires discovered by milking crews. In both cases, the crews made good decisions to protect the barn and their own safety. Both events were the result of motors burning up in manure management systems. May this serve as a reminder to make fire safety a priority. Familiarize employees with fire safety protocols and available resources. Being equipped to handle a fire emergency is the

Know The "PASS" System



Fire safety at home should not be overlooked. Each employee residence should be stocked with a fully charged ABC fire extinguisher located for easy access, preferably in the kitchen. ABC

best way for those affected to be prepared to act quickly and safely. In order to do this, they must know the locations of all available fire extinguishers on the property. When extinguishers are due for annual inspection and recharging, run a fire drill and practice the “PASS” system.

extinguishers are labeled as such and work on a wide range of fire types, such as grease, electrical or combustible, by shooting a smothering, oxygen-eliminating powder. Keeping a large open box of baking soda in the fridge not only helps eliminate odors, but is also another quick access tool for putting out small cooking fires. In addition, working smoke detectors just outside each bedroom are also a vital part of fire safety at home. It is recommended that smoke detectors be checked twice per year and batteries be replaced annually to ensure protection. Taking these basic fire safety precautions are important and may prevent injuries and save lives.

The Bottom Line Blurb: Effective April 9, 2011 Section 195.1 of NYS Labor Law requires all employers, other than government agencies, to give employees at the time of hire (before work is performed) and on or before February 1 of each year, an employee pay notice detailing certain required information. Employers must provide the notice in English and the employee's primary language, provide a signed copy to the employee and maintain a signed copy on file for 6 years. <http://www.labor.ny.gov/formsdocs/wp/LS52.pdf>

Enable Others to Act

By Aaron TeCrony

All business leaders want to operate successful businesses. Take a moment and think about personal best and what it means to a business. While researching for the book, *The Leadership Challenge*, Kouzes and Posner asked leaders to share stories about their personal best, and resoundingly the answer was there are not “personal best” but rather “team best” stories. They said they could not take all the credit, and their achievements were through collaborations by many. The results were impossible to achieve if done alone. The fourth principle of strong leadership is based on collaboration and is the ability to “Enable Others to Act”.

While striving to construct a stronger team, an atmosphere that fosters collaboration is essential and extremely beneficial. When leaders are trusting and open, their team members are usually trusting and open as well, tending to generate happiness and mutual respect. Listening to what others have to say, understanding their points of view, and being open to influence and change are all key aspects to effective collaboration. Listening, understanding, and being open build trust and appreciation. This trust and appreciation multiplies forming stronger and wider interpersonal bonds. Using “we” instead of “I,” supporting face-to-face communications, and sharing information, further create cohesiveness and mutual goal achievement. As goals are met, consider sharing a quality bonus. The team will feel responsible and successful which provides another reason for all team members to pull together, promoting a sense of “everyone is in this together”. Fostering collaboration is essential for the team-building process.



As employees begin to show promise, strong leaders will find ways to continue to strengthen and challenge them. Soon their performances and abilities begin to rise. Try to instill in them self-leadership with a sense of pride for their work and a “can-do” attitude. When appropriate, provide options to them, steering them to make their own choices thus creating a sense of control and commitment. If possible, offer some odd jobs to break up the weekly routine. Find some time during meetings to have 1-on-1 sessions to give feedback and praise as they begin building up self-confidence.

Exemplary leaders who “Enable Others to Act” are constantly looking for ways to foster collaboration and strengthen their teams of employees. They all sing the same tune that no individual can do it alone, but are all in this together. A company’s most valuable assets are its employees. As they are challenged, they grow stronger, become more valuable and develop self-confidence. It is exciting to watch people develop and mature as they are given room to grow and shoulder more responsibility. Business leaders have a unique opportunity to mold and shape their teams and help individuals shine. “Enable Others to Act” is part four of a five-part series.

Cell Phone Use Policies

By Peter Conlon

Not only is cell phone use growing rapidly in the workplace, but also it is a growing concern among employers. As cell phones become more available and affordable, it is important that employers be proactive about developing

an appropriate cell phone use policy for the workplace to address safety and privacy concerns.



Employer concern is certainly valid on a dairy farm where cell phone use can be distracting while working around large animals or operating farm equipment, thereby compromising safety. Privacy concerns are also common due to the ease at which cell phones now capture photos or videos that can be quickly posted to social media websites such as Facebook. Once posted, a photo or video can be easily misinterpreted, reflecting poorly on the farm or the dairy industry.

On the contrary, cell phone use on a dairy farm can also be a useful tool, allowing employees to communicate effectively on a wide range of needs: bringing cows to the parlor, getting assistance with a calving, or calling for help. In response to increased use, some employers are creating clear cell phone use policies, written and signed by all farm employees. One farm in Vermont has a written policy with the following points, presented here as an example:

- Calling and texting are to be kept at a minimum during work hours and must never disrupt the work of the employee or those around him/her.
- Taking pictures or videos while at work is only allowed within the scope of the job (i.e.: it is acceptable to take a picture to show the farm manager a broken gate).
- Distributing photos or videos that may be detrimental to the farm or its affiliates is strictly prohibited.
- Using a cell phone in any way while operating a company vehicle or farm equipment is strictly prohibited.

Employers need to decide their own comfort level with cell phone use in the workplace. Another farm in Vermont, for example, is very clear on its policy. Cell phones stay at home or in their employees’ lockers, only to be used during breaks. As this issue becomes more prevalent, employers need to clearly communicate their expectations concerning cell phone use to their employees. APS can draft a written policy in Spanish for this purpose and clearly explain the need for such a policy to the farm employees.

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Enchiladas Verdes

By Jacqueline Luna



- 12 **Tortillas**
- 2 **Serrano Chile Peppers**
- 12 **Green Tomatillos**, peeled, halved
- ¼ **Onion**, finely chopped
- ½ **Garlic Clove**, minced
- 1 C. **Cheese** (Mexican mix or mozzarella), shredded
- ¾ C. **Fresh Cream**



Wash & peel green tomatillos. Boil with chiles in water until soft (~5 mins.). Blend tomatillos, chiles, onion & garlic until smooth. If sauce is too thick, add water or chicken broth until desired consistency is reached. Sauté blended ingredients with olive oil in medium saucepan. Dip tortillas in hot oil for a few seconds until soft. Lay tortilla flat in a dish and add grated cheese to center & roll up. Place rolled tortillas seam side down in baking dish. Pour sauce over them & top with fresh cream & cheese. Bake at 300°F for 15 mins. or until cheese melts. Serve with warmed refried beans. **Chicken Enchiladas:** Substitute cheese with shredded chicken. Serves: 6.

****New APS Website Launched!**** Designed on a fresh platform integrating new technology, our new website will be used to develop and implement new ways for clients, members, and their employees to find info, access resources, and purchase relevant products quickly and easily. An enhanced membership structure with new benefits is currently being developed. Check out "The APS Shop" now for ethnic food items, work gear, or electronics. Please complete a brief survey at <http://survey.constantcontact.com/survey/a07e6rj4ggchajue4d5/start> to provide feedback about our products/services. If you would like to be entered into our randomly selected drawing (entry deadline is 1/15/13) to win a \$25 Amazon.com gift card, please complete #12, otherwise your entry will be anonymous.



Common Dairy Farm Vocabulary and Phrases English/Spanish



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