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M E M O R A N D U M

DATE: September 6, 2012
TO: VCAA Members
FROM: Rob Roy
RE: Employee Orientation Criteria

In light of the numerous State labor, wage and hour and safety laws that affect your operation, I believe it is prudent to engage in a formal orientation for each agricultural worker prior to the commencement of actual work. Such an orientation may be accomplished by the individual foreman who has the skill and ability, as well as communication skills, to educate employees on the following subjects, or at a general meeting of employees conducted by one of the company's HR or safety representatives.

It is recommended that the company address the following topics as part of the employment orientation meeting:

- § Submission of a proper application for employment.
- § Execution of mandatory tax withholding forms including W-4.
- § Execution of Form I-9, including submission of proper eligibility documents to work in the United States.
- § Provide employees with WH-516 form under MSPA.
- § Prepare and submit to employees a completed DLSE Form 2810.5 with current wage and related information.
- § Presentation of Employee Handbook and discussion of pertinent provisions with employees.
- § Execution of the Notice of Policy on Rest and Meal Periods.
- § Explain the company's Injury and Illness Prevention Program.
- § Train employees on their specific job requirements.
- § Provide employees with a job description under the ADA or FEHA.
- § Train employees on the requirements of the California Heat Illness Prevention Standard (8 CCR Section 3395).
- § Train employees on the DPR's A-9 series pamphlet on pesticides, re-entry periods, etc.
- § Train employees on Worker Protection Standards applicable to their employment.

- \$ Train employees on the company's sexual harassment policy and how to file claims.
- \$ Advise employees if pre-employment, post offer physical examinations are required.
- \$ Inform employees of the "At-Will" nature of their employment.
- \$ Discuss the days of work, minimum wage, rest and meal periods and overtime requirements of Industrial Welfare Commission Order 14-2001.
- \$ Explain to employees their rights under the Agricultural Labor Relations Act, including union authorization cards; daily union access to the workplace; union access to their homes and their statutory right to confer with the company regarding wages; and other terms and conditions of employment.
- \$ Ensure that all required Federal, State and local mandatory posters are posted at the field site in a conspicuous place. Indicate to the employees where these posters may be reviewed.
- \$ Explain to employees that the company provides no transportation and employees will be expected to report to work by means of their own transportation.
- \$ Inform employees that they are to immediately report all work-related illnesses and injuries to their foremen or the company office.
- \$ Inform employees that they are to immediately report to their supervisor or foremen the existence of any hazardous conditions recognized in the workplace.
- \$ Explain to employees the emergency response procedures under the company's Heat Illness Prevention Program. Make sure that employees understand daily the location where they are working and designate a specific employee or employees to assist the company in emergency situations.
- \$ Advise employees on all worker protection issues, including refraining from entering fields which have been posted following an application and to utilize all personal protective equipment required in accordance with State and Federal safety laws.
- \$ Let employees know that there is an informal procedure for resolving grievances directly with the company. Employees should be encouraged to use this process.
- \$ Inform employees that they will be provided with all required and/or necessary tools or equipment which are necessary to the performance of their job.
- \$ If employees are provided with health insurance benefits, please detail the eligibility criteria and direct them to the company office for a summary plan description once they become qualified.