

TRAINING AND EMPLOYMENT NOTICE	NO. 20-19
	DATE March 26, 2020

TO: STATE WORKFORCE AGENCIES
STATE MONITOR ADVOCATES

FROM: JOHN PALLASCH /s/
Assistant Secretary

SUBJECT: Services to Migrant and Seasonal Farmworkers Report, ETA Form 5148, and Complaint/Apparent Violation Form, ETA Form 8429 (Office of Management and Budget (OMB) Control No. 1205-0039)

1. **Purpose.** This Training and Employment Notice (TEN) transmits the updated Services to Migrant and Seasonal Farmworkers (MSFW) Report, Employment and Training Administration (ETA) Form 5148 (Form 5148), and Complaint/Apparent Violation Form, ETA Form 8429 (Form 8429).

2. **Action Requested.** This notice is for informational purposes.

3. **Summary and Background.**

a. Summary

In accordance with the Paperwork Reduction Act, OMB approved the use of Form 5148 and Form 8429 for a period of three years. The new expiration date for these forms is Dec. 31, 2022.

Form 5148

Pursuant to 20 CFR (Code of Federal Regulations) 653.109, State Workforce Agencies (SWA) use Form 5148 to submit quarterly data to ETA on the services they provide to MSFWs.

Form 8429

Pursuant to 20 CFR 658.400, SWAs use Form 8429 to accept complaints or apparent violations involving the failure to comply with the ES regulations under 20 CFR parts 651, 652, 653, 654, and 658 and/or employment-related laws.

b. Background

Form 5148

Part 1 of the Form 5148 includes information reported by the SWAs on services provided to MSFWs. Part 2 includes a narrative section to describe any issues, accomplishments, or anecdotes. Part 3 includes the Minimum Service Level Indicators. In Part 4, the SWAs will provide the Annual Summary of Services to MSFWs pursuant to 20 CFR 653.108(s) at the end of the program year.

Attachment I is a copy of Form 5148.

Form 8429

Part I of Form 8429 includes the complainant's and respondent's contact information, and a section on the description of the complaint or apparent violation. Part II is for the SWAs to report whether the complainant is an MSFW, the action taken and the outcome of the complaint or apparent violation.

Attachment III is a copy of Form 8429.

For information on the changes made to these forms, Attachment II describes the changes made to Form 5148 and Attachment IV describes the changes made to Form 8429.

4. Technical Assistance and Additional Training.

ETA will provide information on any additional technical assistance and training as soon as it is scheduled.

5. Inquiries. Please direct any questions to the appropriate Regional Monitor Advocate (RMA). The RMA list is located at: <https://doleta.gov/mas/contact/>.

6. References.

- 20 CFR 653.109 Data Collection and Performance Accountability Measures
- 20 CFR 658 Subpart E - Employment Service and Employment-Related Law Complaint System (Complaint System)
- *TEGL 14-18 Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL)*

7. Attachments.

- Attachment I-ETA Form 5148
- Attachment II-Changes to Form 5148
- Attachment III-ETA Form 8429
- Attachment IV-Changes to Form 8429