



GAPC Certification Tips

Our weekly email containing tips, advice and reminders that will help you achieve GAPC Certification in 2019.

This week: Worker Interviews and I-9s



Worker Interviews:

- **Year 1 Growers:** To become GAP Connections Certified the GAPC Certification Audit must include worker interviews with a minimum of twenty percent (20%) of the total workforce. The only exception that would waive the worker interview requirement is if a farm ONLY uses immediate family labor to do ALL of their tobacco work. Immediate family is defined as the spouse, child, parent, or sibling of an owner/operator. Cousins, aunts, uncles, grandchildren, nephews and nieces are not included. This exception has to be approved by GAPC staff and the grower had to complete the Family Labor Confirmation on the application they submitted.
- **Year 2 Growers:** Worker interviews can be conducted at the request of the grower but will only be required with the Site Visit if the GAPC Certified Grower (1) remediated an issue in Year 1 that required worker interviews or (2) switched from ONLY immediate family farm labor to hiring non-family labor.
- **Why would a grower request worker interviews?** There are companies that will accept worker interviews conducted during your site visit in place of having a company employee come talk to labor or ask about labor management on your farm. You should discuss this option with your contracting companies and see if it is something that you are interested in and/or would benefit from. If you do decide to have them conducted please alert the auditing firm ASAP.

Worker Interview Details:

- **How many?** At minimum Twenty percent (20%) of the total workforce will be interviewed. There is a minimum of two (2) worker interviews for those operations with more than one (1) worker and a maximum of ten (10) worker interviews for those operations with fifty (50) or more workers. The auditor can ask to speak to more workers if they need to further verify responses or to better understand an issue reported.
- **Who is interviewed?** Interviews are anonymous and confidential. The auditor will choose the workers at random to be interviewed. Workers must be representative of all labor sources used on the farm. For example, if a grower has a mix of FLC, local, and H-2A labor on the farm the auditor will talk to at least one representative from each source. To speed up the audit ensure all workers will be available and close by for workers interviews on the day the auditor arrives.
- **Who is not interviewed?** Immediate family labor is exempt from worker interviews. Again, immediate family is defined as the spouse, child, parent, or sibling of an owner/operator. Cousins, aunts, uncles, grandchildren, nephews and nieces are not included. There is also an exemption for Vocational or Apprenticeship Labor. To be given this exemption hired labor must have completed the compulsory schooling requirement in their state, be enrolled or involved in a vocational or apprenticeship program sanctioned by the Board of Education in their state and show the auditor proof of vocational or apprenticeship program.

I-9's:

- **What is a Form I-9?** Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the US.
- **Who needs them?** All U.S. employers must complete and retain Form I-9, Employment Eligibility Verification, for every person they hire for employment after Nov. 6, 1986, in the U.S. as long as the person works for pay or other type of payment. GAPC audits and site visits do not require I-9's for immediate family labor, defined as the spouse, child, parent, or sibling of an owner/operator. Everyone else must have a completed I-9 for the auditor to review.
- **What will GAPC be looking for?** Auditors will review I-9's to ensure there is one for every listed worker on the farm.
- **Need help with completing I-9's?** <https://www.uscis.gov/i-9>

In future emails...

- OSHA 300 forms
- Wage Statements: What is required?
- Certification Scoring: How do I know whether I have achieved Certification?
- Updated 2019 578's
- Housing and Transportation

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