

---

**COMMONWEALTH OF KENTUCKY**  
**DEPARTMENT OF WORKFORCE DEVELOPMENT**

**GUIDANCE NAME:** Field Checks by Employment Services Subsequent to Referrals/Placements

**GUIDANCE NUMBER:** 25-002

**DATE OF ISSUE:** 07/10/2025

**EFFECTIVE DATE:** 07/10/2025

**APPLIES TO/INTEREST OF:** Kentucky Career Center (KCC) Staff, Local Workforce Boards, and Local Workforce Development Area (LWDA) staff

**POINT OF CONTACT:** Division of Technical Assistance, [compliance.unit@ky.gov](mailto:compliance.unit@ky.gov)

---

**PURPOSE:**

This Guidance provides a breakdown of the requirements pertaining to checks for migrant and seasonal farmworkers. An MSFW field check is an unannounced visit by employment services staff and/or other state or federal staff at agricultural worksites where placements have been made through the intrastate or interstate clearance system. The purpose of these checks is to ensure that conditions stated in the clearance order are in compliance and that the employer is not violating employment-related laws.

---

**GUIDANCE:**

Field checks are required when a domestic worker is placed via a clearance order. After the clearance order is approved, the state workforce agency must notify the employer in writing that it will conduct unannounced field checks.

- Where the state workforce agency has placed 10 or more agricultural clearance orders during the quarter, the state workforce agency must conduct field checks on at least 25 percent of the total of such orders. Where the state workforce agency has placed nine or fewer job orders during the quarter (but at least one job order), the state workforce

agency must conduct field checks on 100 percent of all such orders. This requirement must be met on a quarterly basis. 20 CFR 503(b)

- Field checks must include a visit(s) to the worksite at a time when workers are present. When conducting field checks, employment services staff must consult with both the employees and the employer to confirm compliance with the full terms and conditions of employment. 20 CFR 503(c). Field checks may be targeted, where necessary, to address known or suspected compliance issues.
- If the individual conducting the field check observes, has reason to believe, or receives information that the conditions violate the terms of the clearance order or that an employer is violating an employment-related law, the individual must document the apparent violation and refer it to the appropriate employment services officer manager. The employment services office manager will report the evident violation(s) in the Complaint System log. State employment services staff will attempt to resolve the matter informally within five business days with the employer. Suppose the matter is not resolved within five business days. In that case, the state workforce agency must initiate Discontinuation of Services in compliance with 20 CFR 658, subpart F, which includes a referral of the apparent violation(s) to appropriate enforcement agencies in writing. 20 CFR 503(d)

---

**REFERENCES:**

20 CFR 651.10, 20 CFR 653.503, 658, subpart F

Wagner-Peyser Staffing Final Rule, 88 FR 82658