

Lodi District Grape Growers 7 pdate Association

May 2020

Grape Growers Adjust to Deal with COVID-19 **Pandemic** Local



The impact of the COVID-19 pandemic and the resulting Stay at Home mandates has been felt in all aspects of our lives. For wine grape growers, and the wine industry as a whole, the effects of the pandemic are varied and unknown. While agriculture and associated services were deemed "essential critical infrastructure," winegrape growers have had to adjust to frequently changing orders and guidance from local and state officials.

In addition to providing training and implementing workplace procedures to prevent the spread of COVID-19, there has been concern regarding the availability of personal protective equipment and sanitation supplies. For grower Bruce Fry of Mohr-Fry Ranches, "The lack of PPE

Galt FC competitive soccer teams, hand

sculpting ceramic creations, traveling the

United States, and restoring a 1975 GMC

well. I won a state championship with my

team for Best Informed Greenhand in 2017

and placed 5th in the section in Job Inter-

view in 2018. I have been showing pigs

since 4th grade at the Sacramento County

Fair where I have placed high in the sale or-

der with my market Duroc hogs. I am look-

ing forward to attending California State

University, Chico where I will be studying

Agricultural Business and Marketing.

I am very involved in Galt FFA as

truck with my parents in the shop.

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Sixteen Students Selected to Receive Jim Kissler Memorial Scholarships

The Lodi District Grape Growers Association has met (virtually) to select the recipients of the 2020-2021 Jim Kissler Memorial Scholarship. The scholarship is awarded annually to students pursuing a career in agriculture, with an emphasis on viticulture, enology, agribusiness, agricultural engineering, agricultural mechanics, or agriculture education. \$29,000 was awarded for the 2020-2021 academic year.

Each recipient has provided an introduction and glimpse into their career goals.

Kylie Applemun Cosumnes River College

My name is Kylie Applemun and I have an immense passion for agriculture. I am currently attending Cosumnes River College and I am



majoring in Agricultural Business. I plan on transferring to either Chico State or Cal Poly San Luis Obispo once I receive my AA from Cosumnes River College.

I was an extremely active Elk Grove FFA member and my interest in agriculture grew drastically during the time I was in high school. I won state championships, achieved numerous awards, received scholarships, made connections with many people, and grew as a person through Elk Grove FFA. Agriculture has given me opportunities that I never could have dreamed of and I am extremely grateful. I hope, in the near future, to excel in the agricultural industry and I am driven to make a difference.

Kacie Benton **California State University Chico**

My name is Kacie Benton and I am currently a senior at Galt High School. A few of my hobbies include playing for FC Elk Grove and



Emily Canepa Cal Polv San Luis Obispo

My name is Emily (Emma) Canepa. I'm a second-year wine and viticulture major attending California Polytech-Continued on page 4





It is unfathomable to think how things have changed since the March issue of this newsletter. The COVID-19 pandemic has brought sweeping changes to our lives and our economy. Businesses deemed "non-essential" have been forced to close their doors, while "essential" businesses such as those in agriculture are operating under ever-changing rules, with limited resources, and economic uncertainty.

This spring, we were looking at a healthy State budget and an opportunity to advocate for the support of programs such as the Cooperative Extension. Today, we are looking at a recession and an over \$54 billion State budget gap. Budget cuts will impact all Californians. We will work with our elected officials and statewide ag associations to advocate for ag priorities. Amy Blagg, LDGGA Executive Director

The stay at home order has led to alternative platforms for meetings, seminars, and social interaction. The LDGGA Board of Directors and Scholarship Committee have met virtually through Zoom and we have offered educational webinars to our members. Thank you to LDGGA Associate Members Kroloff, Belcher, Smart, Perry & Christopherson, The Saqui Law Group, and Moss Adams who have shared thair expertise through COVID-19 related webinars. We are exploring ways to provide harvest safety training resources to our members in place of our traditional inperson harvest safety seminar.

On July 23, LDGGA will be holding the Kris Gutierrez Memorial Blood Drive. This is the third annual blood drive hosted by LDGGA and it is more impor-

Apcoming Greats

Kris Gutierrez Memorial Blood Drive Thursday, July 23, 2020 Lodi Grape Festival Grounds

Join us for the 3rd Annual Lodi District Grape Growers Association Blood Drive in honor of the late Kris Gutierrez. Kris was a past LDGGA President and beloved member of the Lodi winegrape community. He lost his battle to Leukemia in September 2019. The Annual LDGGA Red Cross Blood Drive serves as a tribute to Kris and a way to help those in need in our community.

Appointments are required and can be made at www.redcrossblood.org, search sponsor code "LDGGA." For more information or assistance with scheduling,, call LDGGA at (209) 339-8246 or email info@ldgga.org.



American Red Cross

While in-person member events, meetings, and trainings are on hold, LDGGA wants to connect with you. LDGGA periodically sends email communication which includes timely updates, information on events and webinars, and useful links.



Members: Send your email address to info@ldgga.org to be added to our email list! tant now then ever that healthy, eligible individuals to give blood to help replenish the blood supply. Due to CO-



VID-19, all donors must have an appointment. Details are below and can be found on www.ldgga.org.

LDGGA continues to be here for our members. I am still working from home, although I have gained three young office-mates and the role of "distance learning" teacher. Please feel free to reach out if you have questions or areas of concern that LDGGA can address. Stay safe, healthy, and continue to persevere, as agriculture always does.

Lodi District Grape Growers Association

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Vote YES on Pierce'sCOVIDisease Assessmentsupplies to

All California grape growers should have received a referendum ballot in the mail regarding the continuation of the Pierce's Disease (PD) Winegrape Assessment. The original ballot had a May 8 deadline, but the 40% participation threshold was not met. Growers who have not voted, now have until June 8 to return their ballot. The LDGGA Board of Directors encourages growers to vote YES for the continuation of the program. A yes vote will extend the program until March 1, 2026.

The Pierce's Disease Control Program (PDCP) was established in 2000 to slow the spread of Glassy Winged Sharp Shooter (GWSS) and minimize the statewide impact of PD. In 2010, winegrape growers in California voted to expand the uses of the assessment to include research and outreach on other pests and diseases of winegrapes. These pests and diseases must pose serious dangers to winegrapes, and efforts directed toward them must not substantially diminish the efforts on Pierce's disease. Other designated pests include the Brown marmorated stink bug, European grapevine moth, Grapevine fanleaf disease, Grapevine leafroll disease, Grapevine red blotch disease, and mealybug pests of wine grapes.

The program has invested \$45.4 million into research, education and outreach, with \$34.3 million specifically directed toward PD and GWSS research. Information on the PD/GWSS Board can be found at www.pdgwss.net/.

COVID-19 Cont. from page 1

supplies to protect my employees is a huge concern. PPE is supplied not only during pesticide applications but for protection from dust particles during discing and mowing, and for protection from allergies. As an employer, it has been a challenge to keep up with all of the new rules and regulations from IIPP (Injury and Illness Prevention Program) to changes in paid sick leave. There are also the psychological issues of this that are affecting everyone too."

For Tony Rose of Jahant Vineyards, "the biggest impact to our operation has been the availability of goods and services, including PPE, parts, and services such as equipment repair as those businesses operate with less staff or altered hours."

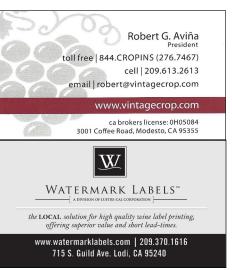
While vineyard work readily allows for distancing, the importance of physical distancing has been stressed for crews during times such as breaks and lunch. Growers have increased sanitation practices in the workplace and have added additional handwashing and hand sanitizer stations. Office staff have transitioned to remote offices when possible.

The impact of COVID-19 for wine grape growers goes beyond the vineyard and workplace. In a Wine Institute press release, wine industry expert Jon Moramarco, managing partner of bw166 and editor of the Gomberg-Fredrikson Report stated that, "Revenue losses for the nation's more than 10,000 wineries and more than 8,000 winegrape growers due to CO-VID-19 could reach \$5.94 billion on an annualized basis in 2020. Despite recent news of consumers increasing wine purchases from grocery stores and other outlets, the impact of on-premise and tasting room closures plus projected declines in direct-toconsumer sales will offset any short-term sales gains when taking into account all sales channels."

Although tasting rooms are closed, local wineries are responding by remaining open for pick-up orders, providing discounted or free shipping, and local delivery. LDGGA member Lauri Goodman-Mills of Good Mills Winery has adapted to these challenging times by having a drive through wine club pick up party and partnering with local restaurants for food and wine to-go. "For our Wine Down Wednesday, we choose a local restaurant and offer dinner and wine for \$50. It has been very popular while keeping the safety and wellbeing of our customers a priority."

How changing consumer habits will influence winegrape sales is yet to be seen. "Even prior to the impacts of government-imposed COVID-19 business shutdowns, the 2020 season was wrought with unprecedented uncertainty for winegrape growers. Wine channel-shifting is creating unexpected beneficiaries and victims which, depending on the duration and recovery period from these shutdowns, may certainly play out in the grape market, said Jeff Bitter, President of Allied Grape Growers. He offered some optimism for Lodi growers stating that "Lodi is uniquely positioned to meet the consumers where they are today - in the grocery stores and online - at that intersection of great quality wines in sufficient quantities, readily accessible, and at reasonable every day prices."





Jim Kissler Memorial Scholarship 2020-2021 Recipients Continued from page 1

nic University in San Luis Obispo. I grew up in Clements, CA which is just a little outside of Lodi. Agriculture has always been very prominent and influential in my life.

As I continue on my educational journey, I hope to gain my PCA license and eventually own vineyards of my own. I also hope to work for a small winery where I will continue my passion for winemaking and obtain more knowledge in the viticulture field. I'm very excited for my future in agriculture and hope to continue my growth in the wine industry.

Mohrgan Fry Cal Poly San Luis Obispo

My entire life always revolved has around agriculture and ever since I was able to ride shotgun in my dad's truck I knew I wanted to



pursue a career in agriculture and follow in his footsteps. I grew up in the San Joaquin Valley in Acampo, just five minutes outside of Lodi. Almost every summer I would spend a few days every week going to work with my dad. We grow wine grapes in the Lodi area and run our own family business, Mohr-Fry Ranches. My father knew I was interested in and passionate about what he was doing and how things worked. So he always made sure to explain everything to me and as we drove along I always had questions for him. This interest is still with me today, come fall I will be attending Cal

Poly in San Luis Obispo to study Agricultural Systems Management. I can't wait to see what the future has to hold for me.

Cameron Heinitz Cal Polv San Luis Obispo

My name is Cameron Heinitz. I am currently finishing up my first year at Cal Poly San Luis Obispo. I am majoring in Wine and Viticul-

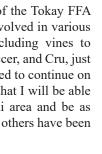
ture with the plan of becoming a vineyard manager or wine maker, with the long-term goal of owning and operating my own winery.

I am originally from Lodi where I was an active member of the Tokay FFA chapter. I am currently involved in various clubs around campus including vines to wines club, intramural soccer, and Cru, just to name a few. I am excited to continue on my career path and hope that I will be able to come back to the Lodi area and be as supportive to the youth as others have been to me.

Crystal Huerta California State University Stanislaus

Howdy! My name is Crystal Huerta and I am 21 years old from Acampo, California. I am a graduate from the graduating class of 2016 from Lodi High School.





in Agricultural Business, along with three Irrigation Technology Certificates. As of Fall 2020 I will be entering my senior year of college at CSU Stanislaus where I plan to obtain my bachelor's degree in Agricultural Economics. Once I graduate, I plan to work for American AgCredit as an Appraisal Analyst.

Ian Lerner **University of California** Santa Barbara

My name is Ian Lerner and I was born and raised in Lodi, California. I have always been involved in agriculture through my family's



Since leaving Lodi High, I have

attended Modesto Junior College where

I received two Associate Degrees, one in

Irrigation Technology and my second one

business and it has become one of my biggest passions. I am the 6th generation of my family business and it will soon be up to me to determine what is next for the familv.

Another one of my passions is football. I played football for twelve years and recently I was named First Team All-League in my senior season. In the future, I plan to attend University of Califo Santa Barbara and major in Pre-Economics and Accounting. I am excited to see what these next four years bring for me!



Brittany Mogler Brigham Young University Idaho

Brittany Mogler is a 2019 graduate of Tokay High School who went on to attend Brigham Young University in Idaho. There



she is working towards a degree in Agribusiness as well as Floriculture and Horticulture. Her passion for a career in the agriculture industry came from her years of experience and dedication to the Tokay FFA and she continually thanks the FFA program for giving her a career goal that she is excited to participate in. During her breaks from college, she continues to help Mrs. Freeman with the floral class and floral designs for a variety of events at Tokay High. Brittany is proud to be continuing her education and sees the value beyond earning her degree as she plans to use her education to continue working in the floral industry as a career.

Franchesca Peterson California State University Chico

Being raised around agriculture, it has influenced me to pursue a career in agriculture because I enjoy it so much. I want to be a high school



ag teacher and I hope to minor in special needs. I want people with special needs to get farm experience. My dream is to teach an ag class that involves special needs students to come in on designated days. I would like them to have hands-on experiences with different ag classes like floral and time on the school farm. This is something that is therapeutic for people with disabilities and I would like to be involved and incorporate this into a classroom setting.

Joseph Weston Petersen California State University Fresno

Since the day I was born, all I have known is farming. I haven't always wanted to be a farmer but as I have matured. I have be-

come more and more interested in helping my dad on the ranch. Some of my fondest memories are sitting on my dad's lap when he drove our tractor. Every harvest I used to ask my dad how long until I can drive the tractor. That was always a goal and a dream for me and now I am here and hoping to make a successful future as a farmer. It started out by wearing John Deere t-shirts, riding John Deere tricycles, to now driving John Deere tractors. I would help with jobs ranging from hooking up implements to pulling leaves out of grape and cherry bins during harvest.

As I get older, I enjoy attending meetings with my father to educate myself on the many issues agriculture is facing. Not only to educate myself, but to also get the experience and meet other people in the industry. Most peers my age enjoy places like Disneyland but attending the World Ag Expo this winter was definitely a highlight for me.



At home I take on the task of tractor work in our vineyards and orchard to get the experience, especially since ranch management is my future career goal. The two most important things my dad used to tell me were to keep my word, be truthful, and have a good work ethic. I feel be having been taught these traits I have a good start to following my passion for agriculture.

Matteo Ramirez Cal Poly San Luis Obispo

My name is Matteo Ramirez. I am a 4th generation Stocktonian and Hispanic-Italian American. I am graduating from St. Mary's



High School in May 2020 and will pursue a bachelor's degree at Cal Poly SLO in the fall. I plan to major in Agricultural Business while maintaining Spanish and I would like to study abroad. I would also like to further my education in Ag Real Estate and/or Law to represent farmer's land rights. I come from a proud Farm Labor Contracting family in Tracy, CA and am looking forward to owning my own land someday. I am thankful to currently intern with St. Amant Winery in Lodi, CA.

In my free time, I run cross country, track and I like to fish, snorkel, paddle board, travel, and learn about history. I am extremely thankful to the Lodi District Grape Growers Association for helping me to pay for my education and pursue the next steps in becoming a farmer.

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Jim Kissler Memorial Scholarship 2020-2021 Recipients Continued from page 5

Ian Reece Cal Poly San Luis Obispo

Hi my name is Ian Reece and I am in my third year as an Agriculture Systems Management Major at Cal Poly San Luis Obispo from



Galt, CA. I currently work as a student assistance and shop technician for the Cal Poly Biology Department. I have also had the opportunity to be a milker for the campus dairy as well as a grape field scout for Wilbur-Ellis this past summer.

I am active in on-campus clubs such as Dairy Club and Agriculture Engineering Society where I run the weekly BRAE Barbecue fundraiser. Last year I also participated in Week of Welcome as an orientation leader. In my free time, I enjoy fishing, hiking, listening to music, and spending time with friends. I hope to graduate with my bachelor's degree before moving on to work on receiving my teaching credential.

Kaleb Roberson Cal Poly San Luis Obispo

I am entering my fourth year at Cal Poly San Luis Obispo as an Agricultural Science major with minors in Agricultural Business and



Crop Science. Upon graduation, I will be taking my PCA exam and either working in

industry or furthering my education with a master's in Plant Protective Sciences.

I am from Galt, California where I participated in FFA as well as varsity baseball. In high school, I raised market goats for fair and was a National Champion in the Agricultural Issues Forum in 2017. At Cal Poly, I have gotten involved in the Cal Poly Strawberry Center, where I work on various tasks and projects such as production, a soil erosion research trial, and mite population monitoring to name a few. In my free time, I enjoy surfing, hiking, reading, and watching sports.

Emily Sarantopulos Cal Poly San Luis Obispo

Emily Sarantopulos is a senior at Elk Grove High School who has dedicated most of her time to the Future Farmers of America

(FFA) and the Technological Digital Art (TDA) academies. In FFA she has been a part of the State Champion Farm Business Management Team, giving her the opportunity to compete in Indianapolis. Being part of TDA and the Student Council, she has excelled in many important life skills. Extracurricular wise, she works at Franklin Ranch as a hotel employee and an ACA on the hospital side.

She plans on attending Cal Poly San Luis Obispo in the fall to continue her passion for agriculture in the major of Ag Engineering.



Jasmine Toledo California State University Stanislaus

My name is Jasmine Toledo and I am from Lodi, California. I am a third year at California State University, Stanislaus and I am ma-



joring in Agriculture with a concentration in Economics.

About ten years ago, my family began a small farming business. Growing up with the unique bond of a family business has increased my knowledge and experience by helping me learn what responsibility, hard work, and humbleness truly means. As I grew up, my passion for agriculture has become strong.

My career goal is to work at an agricultural firm to gain more knowledge and experience. My long-term goal is to continue farming in California.

Elisabeth Watkins University of Nevada Reno

Elisabeth Watkins is a freshman at the University of Nevada Reno where she is studying agriculture science and journalism. She has



launched a podcast for the UNR College of Agriculture, Biotechnology & Natural Resources covering topics of concern for consumers including selecting produce, food waste, and pollination.

When home from school, Elisabeth appears on local Sacramento television and radio shows as the Farm Girl Chef reconnecting consumers to where their food comes from and how it is produced. She hopes to work as an agriculture broadcaster in the future.



Scholarships Awarded

In addition to the Jim Kissler Memorial Scholarship, The Lodi District Grape Growers Association Scholarship Committee assists with the administration of additional scholarships for students in our agricultural community. The Michael David Family Foundation Scholarship awarded \$35,000 to 22 students, while the Ernest Gribaudo Family Agriculture Scholarship selected ten recipients to receive \$18,500 in scholarships. The following students have been selected as recipients for the 2020-2021 academic year.

Gribaudo Family Farms

Ernest Gribaudo Family Agriculture Scholarship

Emily Canepa Emily Cooper Ryan Engle Mohrgan Fry Cameron Heinitz Crystal Huerta Franchesca Petersen Joseph Weston Petersen Jasmine Toledo Stephanie Van Ness



MICHAEL DAVID

Michael David Family Foundation Scholarship

Kylie Applemun Kacie Benton Haley Boynton Emily Canepa Emily Cooper Ryan Engle Mohrgan Fry Brandon Gonzalez Cameron Heinitz Crystal Huerta Ian Lerner **Gloria Nunez Franchesca Petersen Joseph Weston Petersen** Ian Reece **Kaleb Roberson Emily Sarantopulos Nathan Shoup Jasmine Toledo Elizabeth Vietheer Elisabeth Watkins Jeffrey Werder**

to Local Students CalSavers Registration **Deadline Extended to September 30, 2020**

On April 15, the CalSavers Retirement Savings Program oversight board voted unanimously to move the registration deadline for employers with more than 100 employees from June 30 to September 30. 2020.

"Business owners are facing unprecedented challenges due to the CO-VID-19 emergency," said California State Treasurer Fiona Ma, who chairs the California Secure Choice Retirement Savings Investment Board. "We hope this action will help employers as they navigate through this difficult time. We are ready to help employers get started as they move into recovery," Ma said.

Thousands of employers are already participating and tens of thousands of savers are enrolled. CalSavers continues to operate all critical functions without disruption and customer service representatives are ready to help by phone and email. Eligible employers can register for CalSavers at any time and begin facilitating the program, even before their registration deadline. Designed to be simple for employers, CalSavers has no employer fees and no fiduciary liability.

The move does not change existing deadlines for 2021 or 2022. Employers with more than 50 employees have until June 30, 2021, and employers with at least five employees have until June 30, 2022 to register.







Farm Worker Safety During Unprecedented Times By Amy Wolfe, AgSafe

It goes without saying that the country finds itself navigating unprecedented circumstances during the coronavirus disease (COVID-19) pandemic outbreak. Every aspect of our daily lives has been impacted and no more so than considering the safety, health and well-being of our agricultural workforce. Since the US Department of Homeland Security deemed agriculture an essential industry back in March, growers across the country have continued forging ahead in producing the safest possible food supply. That work has included a variety of challenges, the least of which is how best to prevent the spread of COVID-19 on the farm. Agricultural operations have a number of aspects of employee safety to consider in an effort to minimize this ongoing health risk.

COVID-19 Precautions in Ag

There are a variety of precautions to evaluate and implement on each farm to ensure the safety of farm workers during the COVID-19 pandemic. Owners and management need to consider the following:

Communicating with Workers

Perhaps most essential of all is the need for daily communication with workers. The misinformation available through social media and other outlets has led to critical misunderstanding around how the virus is spread and what steps both employers and the individual employees themselves need to take to minimize risk. As such, it is critical that employees receive information including:

• Details on the signs and symp-



It is important that portable restrooms are sanitized more frequently and that ample handwashing supplies, including hand soap, paper towels and potable water, are available at all times. Best practice is to assign an employee to take responsibility for maintaining the conditions of the restrooms throughout the day.

toms of COVID-19 and how to minimize the spread of germs. Videos in English and Spanish are available here: https://www. agsafe.org/covid-19-resources/webinarsand-videos/

• Tell workers what to do if they feel sick or have a sick family member at home.

Recommendation from the CDC in English: https://www.agsafe.org/cms/ wp-content/uploads/2020/03/CDC-Stepsto-Prevent-the-Spread-of-COVID-19.pdf

Recommendation from the CDC in Spanish: https://www.agsafe.org/cms/

wp-content/uploads/2020/03/CDC-Stepsto-Prevent-the-Spread-of-COVID-19_ Spanish.pdf

• Remind workers about what steps you are taking to keep them protected and identify who (supervisor, HR or Safety Manager, owner) they should come to if they have questions or concerns.

Social Distancing

• During the start of the shift, breaks and lunch, keep workers at least six (6) feet apart. Provide additional seating, such as plastic or folding chairs, to ensure workers are off the ground. Stagger breaks





and lunch if additional seating is not available. Stagger meetings and trainings at the start and end of the shift if additional seating is not available.

• When working, space workers out to provide distance between them: One row separating them when planting, pruning, thinning, harvesting, and other work in fields, orchards and vineyards. Make more than one pass through a field when harvesting product with equipment.

Drinking Water for the Crew

· Assign an employee to serve drinking water to crew members from the communal water receptacle. Ensure the worker serving the water has proper PPE (disposal gloves, face mask or covering).

• Sanitize the spigot after filling disposable cups each break.

• Sanitize the spigot if it comes in contact with a reusable water container drinking area (example: mouth of a water bottle).

Portable Restrooms and Handwashing

• Assign an employee to sanitize portable restrooms (door handles, locks, toilet seats) and handwashing facilities (spigot, soap dispenser, paper towel dispenser) frequently during the day. Ensure the worker has proper PPE (disposal gloves, face mask or covering).

• Provide sanitizing product for

employees to sanitize portable restrooms (door handles, locks, toilet seats) and handwashing facilities (spigot, soap dispenser, paper towel dispenser) after each use. Ensure workers are trained in how to properly sanitize and the expectation that they follow this procedure is communicated frequently. Assign a supervisory employee to monitor compliance.

Worker Transportation

• If you provide a company vehicle or truck to your workers, ensure that those vehicles are being cleaned and sanitized on the inside and outside regularly, ideally once a day.

· If it is essential to use transportation, such as a van or bus, to transport your workers: Sanitize at least twice a day (following employee pick-up and drop-off) all points of contact - seats, seat belts, knobs, doors, handles, buttons - that employees touch. Ensure ample ventilation and airflow inside the vehicle. If possible, seat workers spaced at least six (6) feet apart.

· Consider additional trips to allow seating spacing of workers. Assign seating so if a worker becomes ill, it is easy to identify those in close proximity and take the appropriate next steps around informing them, as well asking them to stay home from work for 14 days. **Sanitizing Equipment and Tools**

• More frequent sanitation of all equipment and tools is critical. Ensure teams already responsible for cleaning do so more frequently, at a minimum daily. Do not forget the following items, which can be overlooked: Tractors, forklifts, ATVs, UTVs - seats, seat belts, knobs, doors, handles, buttons. Areas of congregation and meeting, both inside and outside - start of shift, tailgate training, breaks, lunch, and end of shift.

- Chairs, shade trailers, buckets
- Refrigerator, coolers, water jugs
- Vending machines
- Garbage cans

• Bottles and containers used daily • Employee equipment and tools

- Bins
- Hand tools
- Garbage cans

The continued safety and health of our workers is paramount. It is critical that growers maintain their vigilance around year-round issues, as well as consider the unique circumstances now impacting our industry as we navigate safety during the COVID-19 pandemic.

For more information about worker safety, human resources, labor relations, pesticide safety or food safety issues, please visit www.agsafe.org.

Kent Fyffe

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VP





Executive Order Creates Presumption for Covid-19 Workers' Compensation

By: The Saqui Law Group, a division of Dowling Aaron Incorporated

On Wednesday, May 6, 2020, Governor Gavin Newsom signed Executive Order N-62-20, which will make it easier for employees who contract CO-VID-19 during a specific time period to obtain workers' compensation benefits.

The Order establishes that employees working outside the home who test positive for COVID-19, are presumed, for purposes of workers' compensation, to have contracted the disease in the course and scope of employment. However, in order for the presumption to exist, all of the following are required:

The employee tested positive or was diagnosed with COVID-19 within 14 days of having worked: at the employee's "place of employment," at the employer's direction;

The work was performed on or after March 19, 2020;

The work was not performed at the employee's home or residence; and

If a COVID-19 diagnosis is used (rather than a positive test), the diagnosis must be done by a physician holding a California physician and surgeon license and must be confirmed by further testing within 30 days after the date of diagnosis.

The Order does not limit the presumption to "essential critical infrastructure" workers as defined in Governor Newsom's Executive Order N-33-20. This means that, as it is currently drafted, the presumption would apply to any California workers performing work outside the home, at their place of employment, at their employer's direction, regardless of the industry.

The presumption is "disputable," meaning that coverage is not automatic if the employer can show that any of items 1 through 4 above were not met. The presumption also only currently applies to dates of injury up through 60 days after the date of the Order, which will be July 5, 2020. This means that positive tests or diagnoses can be used up through July 19, 2020.

Worker's comp carriers normally have 90 days to deny coverage after a claim form is filed. However, that deadline is reduced to just 30 days for the COVID-19 presumption in this Executive Order. It is still possible to challenge the presumption after the 30 days have passed, but only with evidence discovered after that 30-day period.

Claims established under this presumption are eligible for all workers' comp benefits, including full hospital, surgical, medical treatment, disability indemnity, and death benefits. If the employee has specific COVID-19-related paid sick leave available, that leave must be exhausted before the employee is entitled to temporary disability or salary continuation under workers' comp. However, in order to qualify for temporary disability, an employee must comply with strict 15-day timelines for being certified as disabled by a properly licensed physician.

tion requires a clear positive test or proper diagnosis and puts strict certification deadlines on employees in order to qualify for temporary disability benefits. However, the 30-day timeline to dispute claims under the presumption is tight and will require employers to respond quickly with evidence to challenge claims under the presumption.

The legislature is currently drafting two proposed bills that would create workers' compensation presumptions for front-line health workers responding to the COVID-19 crisis. It is not clear at this time whether or how this Executive Order will influence the drafting of these bills. You can read the proposed drafts here: (Assembly Bill 664) and here: (Senate Bill 1159).

COUNSEL TO MANAGE-MENT: Employers should continue to take all reasonable precautions to keep their workplaces and workforces free from COVID-19, follow local health and safety guidelines, and also make sure that they can clearly show where and when employees are authorized and directed to work during the pandemic. Employers should also reach out to their workers' compensation providers for any specific guidance they may have on responding to the flood of COVID-19 related claims that is undoubtedly coming. If you have questions about responding to COVID-19 claims from your employees, contact the experts at the Saqui Law Group, a division of Dowling Aaron Incorporated.

our industry <u>expertise</u>

jeffo@alliedgrapegrowers.org joe@alliedgrapegrowers.org Lodi/Northern Interior: 209-402-2501

or: contactus@alliedgrapegrowers.org

JOHN DEERE



On the positive side, the presump-

Two Water Sources Are Better Than One

Has your banker asked you whether you can access both groundwater and surface water for your farming operation? If not yet, it is just a matter of time. The most common phone call to the North San Joaquin Water Conservation District (NSJWCD) phone line is from either a lender or appraiser asking that very question about a specific property. Why is this the new normal?

After the legislature passed the Sustainable Groundwater Management Act in 2014, the entire Central Valley has been bracing for the inevitable result – limits on groundwater pumping. It is quickly becoming apparent that lands with dual water sources, that is both surface and groundwater, are more valuable because they can be used to grow a wider variety of crops with increased water certainty, if (or more accurately when) groundwater pumping restrictions are imposed.

Under the new law, areas with critically overdrafted groundwater basins (including our local subbasin) had to turn in a "plan" to the state to explain what they were going to do to sustainably manage local groundwater resources. Many plans in the valley include pumping restrictions. For now, our local plan does not. Instead, it relies on building projects to fully utilize available surface water resources to reduce groundwater pumping. If we fail to plan, finance, build and operate these new projects in a timely manner, the state will not allow our plan to continue and will step in with fees and pumping restrictions and no plans for adding "new" water. Local water districts who have sponsored this plan must report their progress annually to the state. A lack of progress would be another reason for state intervention.

The good news is that local water districts including NSJWCD, Stockton East Water District and Woodbridge Irrigation District are all working on projects to use more surface water in-lieu of groundwater. But these projects depend on grower involvement. Growers must step up to help pay for the projects, to build their on-farm infrastructure to use surface water, and to actually take delivery of surface water when it is available.

So do your part and get involved with your local water district to use more surface water. It will make your banker happy, it will keep the state out of our groundwater basin, and it is the right thing to do to keep our local agricultural economy thriving for generations to come.



By David Simpson, Director, NSJWCD

If you are particularly interested in receiving surface water from North San Joaquin Water Conservation District, email us at nsjwcd@outlook.com with your parcel info and we will get back to you to discuss options for getting surface water to your parcel. To learn more, contact your local water district:

North SJ Water Conservation District www.nsjgroundwater.org

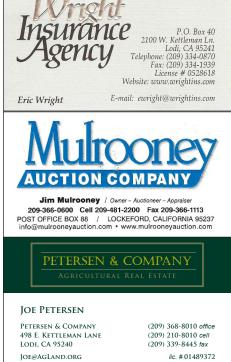
Stockton East Water District www.sewd.net

Woodbridge Irrigation District www.woodbridgeirrigationdistrict.com

Omochumne-Hartnell Water District, Galt Irrigation District Clay Water District

http://sscawa.org/sscawa/districts.cfm





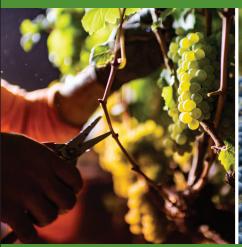


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