



# KINGS COUNTY FARM BUREAU UPDATE

Volume 18 • Number 1

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January 2011

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## California Farm Bureau Federation Recognizes KCFB

California Farm Bureau Federation (CFBF) recognized Kings County Farm Bureau as the recipient of the first Innovator Award for a unique activity during the CFBF Annual Meeting in Monterey, Calif., Dec. 5 – 8.

President Jim Crisp, Vice President Michael Miya, Secretary/Treasurer Dino Giacomazzi and Executive Director Diana Peck accepted the award on behalf of KCFB.

KCFB earned the new Innovator Award for its creative use of video conference technology in agricultural education. Through a partnership with the Kings County Office of Education, KCFB created a "virtual

field trip" for elementary school students, using video conferencing technology to interact with students locally, throughout the state, and nationwide.

During lessons on cotton production and milk production, a farm bureau presenter uses videos, photos and graphics to show students how their cotton t-shirts came to be and how their milk journeyed from "Cow to Carton." The lessons have been popular with students and teachers and can be ordered through an online repository at the Center for Interactive Learning and Collaboration, [www.cilc.org](http://www.cilc.org). Locally, teachers can access the programs on the Kings County Office of Education's website, <http://www.kings.k12.ca.us/VideoConferencing/Pages/Home.aspx>.

Also recognized at this year's annual meeting were KCFB Board Member Theo de Haan and KCFB Young Farmers and Ranchers Chair Liza



Paulo Vescia (CFBF)

**CFBF President Paul Wenger (far right) presents KCFB representatives with the first Innovator Award at the CFBF Annual Meeting in Monterey, Calif.**

Teixeira. Both graduated from the 2010 Leadership Farm Bureau program.

Leadership Farm Bureau is a leadership development program sponsored by CFBF to provide perspective and training in the areas of personal development, human behavior, public speaking, working

with the media, political advocacy, government structure, key political issues and, of course, the Farm Bureau organization and structure.

"We got a better understanding of agricultural issues affecting the state and what can be done to help those problems," said Teixeira, who recognized water as one of the most complex issues within the state.

"We learned different points of view," Teixeira said about the water issue. "It really opened our eyes to the diversity of positions. We see that there will need to be a compromise."

Farm Bureau provided more than

*See KCFB on page 5*



Matt Salvo/Ching Lee (CFBF)

**CFBF President Paul Wenger presents KCFB Board Member Theo de Haan with a Leadership Farm Bureau graduation certificate.**



Matt Salvo/Ching Lee (CFBF)

**CFBF President Paul Wenger presents Liza Teixeira with a Leadership Farm Bureau graduation certificate.**

## Landowners Disagree About New Williamson Act Bill

The Kings County Board of Supervisors voted to implement California Senate Bill 863 to mixed reviews from local growers.

"I think they should have waited for a better time," said local feed grower Danny Leal. "When we are in a recession is not the right time to raise taxes."

According to the California Department of Conservation, SB 863 is a budget trailer bill that replaced Assembly Bill 2530 (Nielsen) and became

effective on October 19, 2010. The goal of SB 863 is to provide counties an alternative to exiting the California Land Conservation Act (Williamson Act) by allowing the counties to re-capture a significant portion of their foregone property tax revenues due to their participation in the Williamson Act program.

Essentially, SB 863 provides a one-time, \$10 million subvention to counties that participate in the Williamson Act for fiscal year 2010-11, and a provision allowing eligible counties to re-capture 10 percent of the property tax benefits provided to owners of Williamson Act lands.

By Kings County electing to implement SB 863 law; it can receive up to \$1,390,616 in foregone revenue.

For landowners, it means a decrease in their contract term to nine or 18 years instead of the previous 10 or 20-years. Additionally, landowners give up 10 percent of their tax benefit.

"Our biggest concern is dairymen," Leal said, referring to the already-embattled farmers who don't need the additional strain on resources.

Not all landowners see the implementation of SB 863 as detrimental. John Tos, a Hanford grower sees it as a compromise.

"We've benefited for 40 to 50 years," Tos said. "I think we ought to move ahead with this for the betterment of everyone."

The Kings County Assessor's office has already created an information page on their website for landowners with questions about the effect on their property taxes. The information can be accessed at

<http://www.countyofkings.com/acr/Assessor/index.html>.

How does SB 863 affect a contracted landowner?

According to the county tax assessor's office, each contracted landowner whose property is assessed at its restricted value will receive an additional assessment on their annual tax bill. That additional assessment will be calculated by applying a 1% tax rate to 10% of the difference between the proposition 13 factored base year value and the Williamson Act or Farmland Security Zone calculated restricted value. The additional tax will be a separate line item on their tax bill.

The Williamson Act and Farmland Security Zone calculations are unpredictable and the resulting values can vary greatly from year to year. As a result, it is impossible to say exactly what impact SB 863 will have on an individual parcel in years to come. In order to help property owners get an idea of what the potential SB 863 added tax might be, the assessor's office has provided a worksheet that illustrates what the additional increment would be, if SB 863 had been implemented for this year. The worksheet is also accessed through the website address provided.

It is important to remember that changes in ownership, the addition or deletion of growing improvements and other factors will change this number in subsequent years.

An Assessor's Parcel Number (APN) is required to access the appropriate information for property owners.

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## DATES TO REMEMBER

### February

- 3 KCFB Executive Committee Meeting, *noon, Boardroom*  
15 KCFB Board Meeting, *7 pm, Boardroom*  
21 President's Day, *Office closed*

### March

- 3 KCFB Executive Committee Meeting, *noon, Boardroom*  
10 Kings County Third Grade Farm Day – *Kings Fairgrounds*  
15 KCFB Board Meeting, *7 pm, Boardroom*

## MEMBERSHIP

### New Sustaining

Sam Rodriguez

### Renewed Sustaining members

Michael Robinson  
Rick Houk  
Elizabeth Wagner  
Ivo H. Denham  
Joe A. Neves  
Lambert Sikkema  
Robert Norman  
Hammond C. Sue  
Rachael A. Pepe

### New Voting Members

Brittany Fagundes  
Jeffrey D. Cook

### Renewed Voting Members

American West Aviation  
Josephine Bernardo  
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Alvin J. Oliveira  
Paul Stanfield  
Gerald Theodore  
Triple M Ranch  
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Glenn E. Coffman  
Tony De Groot  
Jim Gregory  
Joseph C. McGahan  
Randy Rodrigues  
Nelson J. Rodrigues  
Manuel A. Simas  
Joe Sozinho  
Bill Longfellow  
Yvonne Baker  
Gilbert Bettencourt  
David Costa  
Robert D. Doran

Adao G. Fernandes  
Lilia Giacomazzi  
Rolling Hills Farm  
James A. Vidak  
Brooks Farms  
Dave A. Bush  
Thomas Brothers Spreading  
Gerald S. Yparrea  
Don Bickner  
James F. Brazil  
Gary Lindley  
Rodney F. Ritchie  
Neil D. Spiro  
Anthony Gary Trigueiro  
George Wurzel  
Robert F. Ritchie  
A & P Farm Labor Contractors  
B. Armbruster Trust  
Steven Dias  
Dublin Farms  
Island Farms  
Richard D. Jones  
Steven C. Naylor  
Valley View Farms  
Lionel F. Barcellos  
Tony Oliveira Farming

### New Business Members

Pacific Gas & Electric  
Valley Toyota Scion

### Renewed Business Members

Bacome Insurance Co.  
Quality Machinery Center  
Dassels Petroleum Inc.  
Suncrest Bank  
Kings County Water District  
Mello Hay  
Crisp Warehouse  
Don Heskett  
J.C. Lansdowne Inc.  
Kings County Area Public Transit  
Smith Welding

## Local Businesses Offer Farm Bureau Member Discounts

Simply show your Farm Bureau membership card at the following locations and receive the advertised discounts below.

If you're interested in including your business in this program, please contact KCFB at 584-3557.

### Nashville's Bar & Grill

*New Offer!*

#### Nashville's Bar & Grill

10% off your lunch or dinner purchase (excluding alcohol) and 20% off your meal purchase on Tuesday and Wednesday.

2601 N 11th Ave  
Hanford, CA 93230  
559-583-8424



### Verdegaal Brothers

Verdegaal Brothers, Inc. will delay invoicing until March, or give 90 day terms, for sulfuric acid injection systems installed at irrigation wells when new systems are ordered and installed from September through February.

13555 S. 11<sup>th</sup> Ave.  
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559-582-9205  
888-742-8728



### Boston House of Pizza

10% off total purchase; not valid with any other discount offer. Redeemable at all Boston Pizza Locations.

1770 N 10th Ave, Hanford, CA 93230,  
also located in the Target Shopping Center  
on 12<sup>th</sup> Avenue  
1180 W Bush St, Lemoore, CA 93245  
924 Whitley Ave, Corcoran, CA 93212  
302 E Caldwell Ave, Visalia, CA 93277



### Steelwater Gun Safes

5% off safe prices listed online at [www.steelwatergunsafes.com](http://www.steelwatergunsafes.com)

15% off scratched and dented safe prices listed online at [www.steelwatergunsafes.com](http://www.steelwatergunsafes.com)

10757 Energy Street, Hanford, CA 93230  
559-583-6581



### Billingsley Tire Inc.

FREE balance with purchase of four new passenger or light truck tires.

Only valid at the Lemoore location after showing your Farm Bureau membership card.

6 West "D" Street  
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559-924-3481  
Hours: M-F 7:30 a.m.- 5:30 p.m.  
Saturday 7:30 a.m.- 3:00 p.m.



### Fashion Cleaners

20% OFF your dry cleaning purchase after showing your Farm Bureau membership card.

1790 N. 11<sup>th</sup> Avenue  
Hanford, CA 93230  
559-584-4592  
Hours: M-F 6:00 a.m.- 6:00 p.m.  
Saturday 9:00 a.m.- 1:00 p.m.



Kings County Farm Bureau thanks all participating businesses for their generous support!

■ **Mission Statement:** To provide education, promotion and representation of agriculture.

■ Kings County Farm Bureau Agri-Business Update: is published monthly by Kings County Farm Bureau.

POSTMASTER: Send address changes to Kings County Farm Bureau, 870 Greenfield Avenue, Hanford, CA 93230

#### Officers:

President: Jim Crisp  
Vice President: Michael Miya  
Secretary-Treasurer: Dino Giacomazzi

■ **Executive Director:** Diana Peck  
■ **Executive Assistant:** Kelley Hildebrand  
■ **Phone:** 584-3557 ■ **FAX:** 584-1614  
■ **Web site:** [www.kcfb.org](http://www.kcfb.org)

#### Directors:

Joe Alcalá	John Ellis
Stan Azevedo	Pete Hanse
Tyler Bennett	Gary Lindley
Joshua Bettencourt	Michael Maciel
Mary Cameron	John Rodrigues
Theo de Haan	Steve Walker
Ryan Dooley	Bob Wilson
Chuck Draxler	Frank Zonneveld

#### Editor:

Diana Peck

#### Advertising:

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## BUSINESS MEMBER SPOTLIGHT

# Valley Toyota Scion Exemplifies Generosity and Customer Care

General Sales Manager Sean Ryan and the team at Valley Toyota Scion of Hanford believe that customer service is job one.

“From top to bottom, our number one objective at Valley Toyota Scion is to make our customers happy and to give back and support our local community,” Ryan said.

As a testament to their commitment, they've been the proud recipient of Toyota's Prestigious President's Award five times. Additionally, of 1,221 Toyota dealers in the United States, Valley Toyota ranked number one in the country in sales satisfaction for June and July 2010.

“That says a lot about how we do things at this dealership on a daily basis,” Ryan said. Their motto is “The No Problem Dealer.”

Ryan is no stranger to the car business. His family has been in the business more than 40 years. His father owned Valley Ford in Hanford for more than 30 years and it was there that Ryan learned the value of generosity and good customer service. He said his family believed wholeheartedly in supporting the local community.

Ryan has brought those values with him to Valley Toyota. As members of the Hanford Chamber of Commerce and Kings County Farm Bureau, and supporters of Thursday Night Downtown Market, Valley Toyota communicates its support.

“Our local economy is so dependent on agriculture and dairy,” Ryan said. “It's a no brainer. If you're in business



Valley Toyota Scion

in Kings County, why wouldn't you support the agricultural community?”

As the company continues to make inroads with their Tundra and Tacoma pick-up trucks, Ryan hopes to gain more customers in the truck market. He pointed out that some of the greatest features of Toyota vehicles are their amazing resale values, the two-year 25,000 mile complimentary maintenance, the reliability and the low cost of ownership.

He also pointed out that Toyota Financial Services is the number one lender in California.

“Whether you need one vehicle, or a fleet of vehicles, Toyota Financial understands the needs of businesses,”

Ryan said.

Valley Toyota Scion is located off Highway 198 and 12th Avenue in Hanford. The new, modern facility has been there only three years. With more than \$4,000,000 of new and pre-owned inventory, they are confident they can help their customers find what they are looking for.

In order to make the shopping experience more enjoyable, the dealership offers local shuttle service, 18 service bays, a relaxing customer lounge, free coffee and WiFi, and Toyota rental cars and trucks on site.

“It's about taking care of the cus-

tomers and making people happy. We want you to come back.” Ryan said.

### Valley Toyota Scion

1835 Glendale Avenue, Hanford  
[www.hanfordtoyota.com](http://www.hanfordtoyota.com)

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M-F 8:30 a.m. – 7 p.m.  
Saturday 9 a.m. – 7 p.m.  
Sunday 10 a.m. – 6 p.m.

#### Service:

M-F 7:30 a.m. – 6 p.m.  
Sat. 8 a.m. – 5 p.m.  
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# World Ag Expo 2011 Opens Online Registration

Online registration is now open for World Ag Expo, Feb. 8-10, at the International Agri-Center in Tulare, Calif.



By registering online at [worldagexpo.com](http://worldagexpo.com), attendees can purchase their tickets preshow to save time when they get to the show grounds, and attendees who register with a coupon code will receive \$2 off daily admission. Tickets for World Ag Expo are \$12 online and at the gate.

In addition, all attendees who register will be automatically entered to win one of three Honda Big Red 4x4 MUVs, as well as other registration prizes, given away at the conclusion of each day of the expo.

Those who register online will be asked to complete a brief questionnaire based on their demographic background. A confirmation page can then be printed immediately after paying admission fees and an official admittance ticket can be printed at home or mailed directly to the attendee.

Once on the grounds, each attendee will have the opportunity to visit World

Ag Expo's registration center at space J30 where a volunteer will print a personalized souvenir badge.

World Ag Expo first implemented electronic registration in 2008 to collect demographic information to better the expo.

"The demographic information collected through online registration is critical for providing expo staff with information to better serve World Ag Expo attendees and exhibitors," said Jerry Sinift, CEO, International Agri-Center. "For the 2011 Expo, we added a beef and livestock focus to Pavilion D because of the information we learned from attendee registration. The numbers proved that our attendees have a strong interest in the beef and livestock industry."

The 44th annual World Ag Expo 2011, Tools for Agri-Business, will run February 8-10 at the International Agri-Center show grounds in Tulare, Calif. An estimated annual average of 100,000 attendees from 78 countries are expected to attend World Ag Expo this year. The expo is the largest annual agricultural show of its kind with 1,600 exhibitors displaying cutting-edge agricultural technology and equipment on 2.6 million square feet of show grounds.

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Thursday, January 20, 2011

5:30 – 8:00 p.m.

Kings Fairgrounds – Richard Brown Building  
801 South 10th Avenue, Hanford

Tickets - \$40

Farm Day provides an opportunity for approximately 2,400 Kings County students and their teachers to learn basic facts about agriculture, become familiar with farming and food production, and enjoy interactive exhibits with farmers, animals and equipment.

Please join us in support of agricultural education.

For more information call (559) 584-3557 or visit [www.kcfeb.org](http://www.kcfeb.org)

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# Volunteers Needed for Farm Day

Kings County Farm Bureau, Kings County Office of Education and Kings Fair are once again proud to present FARM DAY, an educational enrichment program for all third-graders in the county. FARM DAY will take place on Thursday, MARCH 10, 2011 at the KINGS FAIRGROUNDS.

This event's success is dependent upon the commitment we receive from hundreds of volunteers. We hope that you will consider joining us.

FARM DAY allows approximately 2,300 students and their teachers the opportunity to learn basic facts about agriculture, become familiar with food and animal production, and have personal contact with farmers and livestock. Our goal is that FARM DAY

attendees and volunteers gain an increased awareness of the positive contributions that agriculture makes to our local community and our economy.

Last year, more than 320 volunteers and presenters participated in our event: the largest number to date! We are extremely grateful for the assistance we received last year and look forward to another fantastic event.

If you would like to participate, contact KCFB office at 559-584-3557 or visit [www.kcfb.org](http://www.kcfb.org) to download a copy of the volunteer participation form. Your contribution to FARM DAY will guarantee a rewarding and special day for Kings County third-graders. Thank you for your consideration.



**KINGS COUNTY FARM DAY**

**SAVE THE DATE!**  
Thursday  
March 10,  
2011



We look forward to your participation.

For more information, call (559) 584-3557  
e-mail : [kcfb@kcfb.org](mailto:kcfb@kcfb.org)  
or visit [www.kcfb.org](http://www.kcfb.org)

## LETTERS

The Kings County 4-H Council and the University of California Cooperative Extension personnel join the 4-H Sponsor Committee in expressing our sincere thanks to you for your thoughtful donation. This will provide the necessary funds needed to support the 4-H Council's budget this year.

We have an active calendar of events planned for the year and know that the instruction and leadership opportunities that 4-H members are receiving in their clubs and project groups is preparing them to be contributing members of society.

The 4-H Program involves both rural and urban youth and adult leaders from every area of Kings County. Thanks to your support, 4-H continues to grow in Kings County.

Sincerely,  
Mark Avila  
President  
Kings County 4-H Council

Denise Cuendett  
4-H Program Representative

Peggy Gregory  
County Director  
4-H Youth Development Advisor

Thank you for attending, participating and helping at the 2010 California Ag in the Classroom Conference. It was an amazing success! We received great feedback from participants about the booths, table hosts, speakers, workshops and field trips. All that was possible because of the support we got from participants!

Sincerely,  
Stephanie Etcheverria  
Program Coordinator  
California Foundation for Agriculture in the Classroom

*Update* welcomes your comments and letters. Please mail to KCFB, 870 Greenfield Ave. Hanford, CA 93230 or email to: [kcfb@kcfb.org](mailto:kcfb@kcfb.org) KCFB reserves the right to edit content for clarity and space.

## KCFB from page 1

250 hours of instruction during seven sessions throughout the year. Activities included both a California and a Washington, D.C. lobbying session. Participants reviewed the development and implementation of state and national policies and met with key legislative, administrative and regulatory officials. An understanding of the issues impacting agriculture is a vital component of the program. Special focus is given to issues affecting farmers and ranchers in California, across the nation and on a global level.

Participants traveled to California's central coast and to North Carolina to visit a variety of farms, such as vegetable, tobacco, Christmas trees and even a fishery.


De Haan, a Kings County dairy farmer, said that he had never seen a

vegetable farm before, nor had he ever visited a packing house.

"It was amazing," de Haan said of a Watsonville vegetable packing and shipping facility. "It's very complex, well orchestrated and beautifully choreographed."

The LFB class culminated a year of leadership development with a graduation celebration at the John Steinbeck Museum in Monterey. The event was part of the 2010 CFBF Annual Meeting. De Haan was the opening speaker and, without prior public speaking experience, opened the celebration with a strong voice and well-received joke that roused attendees.


"That was a stretch for me," said de Haan, acknowledging that the program has increased his confidence in public speaking. "It's really not my personality but I volunteered as a challenge to myself."



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# Directory of Farm Bureau Supporting Business Members

The businesses, individuals and organizations on this page are showing their support of the agricultural industry and, in particular, Kings County Farm Bureau. Please show your appreciation by supporting them in return. Let

them know you are a Farm Bureau member when you do business with them. New Business Support Members are always welcome. This is a special category for those who may not be active in production

agriculture, but who support agricultural enterprise and the Farm Bureau's work. Call the Farm Bureau Office at 584-3557 for more information on becoming a Business Member.

## ACCOUNTING

**Boos & Associates, a Professional Corporation**  
5260 N. Palm Ave. Suite 120  
Fresno, CA 93704.....449-7688

**M Green and Company**  
1483 Bailey Drive  
Hanford 93230.....584-2751

**Tracy Bressler CPA**  
770 E. Bush  
Lemoore, CA 93245.....924-1225  
www.tracycpa.com

## AUTO DEALERSHIPS

**Valley Toyota Scion**  
1835 Glendale Ave.  
Hanford 93230.....587-3500

## AUTO, REPAIR, ETC.

**Billingsley Tire**  
PO Box 577  
Lemoore 93245.....924-3481

## BANKING/FINANCIAL

**Bank of the Sierra**  
427 W. Lacey Blvd  
Hanford 93230-4437.....585-6700

**Bank of the West**  
4010 S. Demaree  
Visalia, CA 93277.....738-9060

**Citizens Business Bank**  
Dairy & Livestock Industries Group  
12808 Central Avenue  
Chino, CA 91710.....(866) 578-0658  
500 W. Main St.  
Visalia, CA 93291.....636-0154

**Federal Land Bank of Kingsburg**  
PO Box 1838  
Hanford 93232.....584-5401

**Farm Credit West**  
PO Box 1208  
1111 W. Lacey Blvd  
Hanford 93230.....584-2681

**Rabobank**  
218 N. Douty Street  
Hanford 93230.....587-9680

**Suncrest Bank**  
400 W. Center Street  
Visalia 93291.....802-1000

**Union Bank of California**  
7108 N. Fresno, Ste 200  
Fresno 93720.....582-8088

**Wells Fargo**  
200 W. 7th Street  
Hanford, CA 93230.....582-4444

## BROKERS/COMMODITIES

**Baker Commodities Inc.**  
P.O. Box 1286  
Hanford, CA 93232.....582-0271

**Buttonwillow Warehouse Co.**  
P.O. Box 1028  
Corcoran 92212.....992-5120

**Cal Cot Ltd.**  
PO Box 259  
Bakersfield, 93302.....(661) 327-5961

**Crisp Warehouse**  
PO Box 490  
Lemoore 93245.....947-9221

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## Make Sure Farm Equipment's Guards are in Place

By Mike Klimenko  
Farm Bureau Group Manager

Moving machine parts have the potential to cause severe injuries on the farm or ranch, such as crushed fingers or hands, amputations, burns, or blindness. To protect workers from these dangerous mishaps, equipment manufacturers install machine guards to cover any machine part, function, or process that may cause injury.



Mike Klimenko

This means that when a machine is in operation, its guards must be in place. A guard must never be bypassed or removed during use. If a guard is removed for machine cleaning or repairing, it must be put back into place before reuse or storage.

Before putting any machine into operation, it is very important for the equipment operator to do a thorough inspection to make sure that all guards are properly functioning and securely in place. Checking the guards should be part of your regular daily inspection. Employees should be encouraged to report any missing or damaged guards should be reported to you or their supervisor.

It is important that workers are trained in machine operation safety before using such equipment. The training should cover such things as wearing the proper clothing for working around machines including required personal protective equipment. For example, if a worker's long hair becomes entangled in a tractor's PTO (power take-off), the results can be tragic. Be sure everyone is wearing tucked-in shirts and pants without

cuffs. Long sleeves, neckties, scarves, gloves or jewelry can become entangled in moving parts. Everyone should wear eye protection where required and keep long hair covered and away from moving parts.

Many farm accidents occur when workers are clearing a jam, reaching for a tool, retrieving an object or making an adjustment. Don't let breakdowns, jammed work or broken parts cause you to forget safety procedures. Power should be turned off and switches locked and tagged during repair and moving equipment should be blocked to protect against stored energy. When the repair has been completed, guards must be replaced and checked that they work properly.

A machine's motor should be completely stopped and the power source disconnected before a worker attempts to service, adjust, clear or unclog the equipment. Don't try to slow down a moving part with your hand or makeshift device, let the machine stop completely by itself. And never walk off and leave a running machine unattended.

Injury prevention comes down to having the proper procedures in place and requiring that they are carried out. Remind everyone that a machine's safety features are there to protect them. If they allow themselves to become distracted, bypass a guard or ignore a safety procedure, it could lead to a serious mishap.

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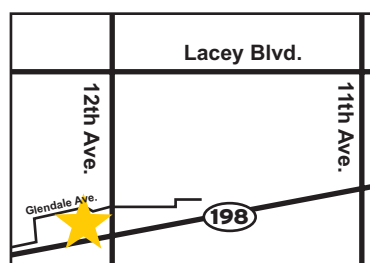
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# Farm Employers Labor Service Reports on Issues

## Immigration Policy in the Spotlight

The Fresno Bee ran a seven-part series in mid-November focusing on the availability of employment in California – and in Central Valley agriculture in particular – to illegal immigrants as a result of their widespread use of seemingly genuine but fraudulent identity and work-eligibility documents. Coming as it did only a few weeks after the revelation of gubernatorial candidate Meg Whitman's firing of an illegal immigrant as a nanny and maid, the Bee series raised the issue's profile. This could lead to greater scrutiny of agricultural employers' employment practices – particularly in relation to the requirement to verify the eligibility of new hires to be employed in the U.S. – than we have seen in many years.

As has been noted in recent issues of the monthly *FELS Newsletter*, Immigration and Customs Enforcement has been more active than ever in conducting workplace audits. While ICE typically chooses low-key audits of Forms I-9 and accompanying documents over the types of field raids that were common 30 years ago, the resulting demand by ICE to fire any employee who its investigation reveals is not eligible to work in the U.S. can be very disruptive for an agricultural employer.

And while an audit might not be as disruptive as an old-fashioned raid, ICE has not hesitated to brag about its enforcement activities when it conducts these audits.

### What it Means for Employers:

Compliance with Form I-9 verification requirements could be more important in 2011 than in many years, given the new high level of scrutiny surrounding immigration and related issues. FELS offers helpful resources from compliance guidance to news of the latest developments in the field at [www.fels.net/find](http://www.fels.net/find).

## Timely Reporting Required for Workers' Compensation Coverage

A court in Louisiana recently denied additional workers' compensation benefits to an employee who claimed further injuries three months after a workplace accident. The original injury occurred when a 700-pound store display fell on the employee and pinned her to the floor. She suffered three fractures to her right ankle and underwent surgery. There was no dispute with respect to that injury, and the employee's expenses were paid by her employer's workers' compensation carrier.

But nearly three months after the accident, medical records show the employee also complained of neck, shoulder and lower back pain. Why did the employee fail to report this pain until three months after the accident? She claimed that for the first two weeks after the surgery, medication dulled the other pain. She also claimed she had tried to address her other pains with various doctors, but they would insist they could treat her only for the ankle injury.

Also, the employee was involved in an auto accident four years earlier. While she claimed she had suffered only a minor bump in that accident, medical records show the emergency room physician who treated her after the crash noted low-back pain, neck sprain and abdominal pain.

Doctors also offered differing opinions on whether the neck, shoulder and back pains were work-related.

After a workers' comp judge denied her request for benefits for the neck, shoulder and back pain, the employee took her case to a state appeals court. The court said medical records didn't support her testimony that she had told doctors about her upper body pain before three months after the incident with the falling display. The court said the employee didn't prove her additional



## KCFB IN ACTION

### December Activities

- Conducted the following meetings/events:
  - Executive Committee Meeting
  - Board of Directors Meeting
  - Winter Wine Showcase Committee Meeting
- President Jim Crisp, Vice President Michael Miya, Secretary/Treasurer Dino Giacomazzi, Board Members Chuck Draxler, Pete Hanse, Theo de Haan and Tyler Bennett and Executive Director Diana Peck attended the California Farm Bureau Federation Annual Meeting in Monterey.
- Executive Director Peck attended the Lemoore Chamber of Commerce Board meeting.
- Executive Director Peck, with the Kings County Office of Education, conducted interactive video conferences with Monroe, Kings River Hardwick and Pioneer Elementary Schools in Kings County; Cornwall Terrace Elementary in West Lawn, Penn.; and Odyssey Charter School in Altadena, Calif.
- President Jim Crisp, Vice President Michael Miya, Executive Director Peck and Executive Assistant Kelley Hildebrand attended the Kings County Board of Supervisors Public Hearing regarding implementation of Senate Bill 863.

pains were work-related, and so she did not receive workers' comp benefits for them.

### What it Means for Employers:

While in this case it appears the court reached a commonsense decision, such common sense is not always common. What can an employer do to protect itself in jurisdictions where workers' compensation rules and regulations, not to mention the courts, don't have the common sense that prevails in Louisiana?

A good starting point is to have clear and clearly communicated workplace policy that all workplace injuries, no matter how minor, must be promptly reported to the company HR director or someone else in a position of similar authority. In California an employee's failure to report a work-related injury within 30 days after its occurrence can result in the denial of benefits. (Despite such a failure, knowledge by an employer of an injury satisfies this requirement.) Nonetheless, an employ-

ment policy may require employees to report injuries as soon as possible, but in no event more than 30 days after their occurrence.

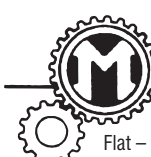
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*This article is provided courtesy of the Farm Employers Labor Service (FELS), an affiliated company of the California Farm Bureau Federation. FELS provides labor-management consultation, union avoidance, human resources education, compliance materials and products and workplace safety and health training for agricultural employers throughout California and Oregon. For more information about FELS, please contact FELS Chief Operating Officer Bryan Little at 800-753-9073, at [blittle@fels.net](mailto:blittle@fels.net) or visit FELS' website: [www.fels.net](http://www.fels.net).*

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