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New employment laws take effect in 2021

Courtesy of FELS

The California Legislature was busy in 2020 despite (or perhaps because of) the COVID-19 pandemic. In a classic case of refusing to let a crisis go to waste, the Legislature pushed through several employee-advocate priorities that had languished in prior legislative sessions.

SB 1383 (Jackson) permanently expands child- and school-related leaves specified in Labor Code section 230.8 from employers of 25 or more to employers of five or more, vastly expands the reasons for which section 230.8 leave must be offered to cover a variety of other

problems including natural disasters, removes the 40-hour cap on section 230.8 leaves, and adds a private right of action for violations, exposing very small agricultural employers to litigation liability for even unintentional violations.

SB 1383 will greatly increase legal exposure and administrative difficulties for very small agricultural employers associated with these leaves in conjunction with job-protected leaves for family, medical and other reasons. Employers—particularly small employers—already struggle to manage this panoply of leaves without inadvertently violating the law.

AB 2043 (Rivas) mandates Cal/OSHA conduct a statewide outreach campaign to agricultural employees on COVID-19 safety and COVID-19-related employment benefits and requires Cal/OSHA to publish on its website information on the results of its COVID-19-related enforcement activity.

“Employment Laws” continued on page 5



Important COVID-19 updates for employers

Executive order revises return-to-work requirements

On Dec. 14, Gov. Newsom signed Executive Order N-84-20 modifying return-to-work requirements under the COVID-19 Emergency Temporary Standard (ETS). The executive order reconciled the ETS’ return-to-work requirements with recently-issued guidance on ending quarantines from the California Department of Health.

Under the new guidelines, asymptomatic exposed employees may end quarantine and return to work 10 days after exposure whether they received a COVID-19 test or not. Exposed symptomatic employees may end quarantine and return to work in less than 14 days if they consistently maintain non-pharmaceutical measures like face covering and social distancing for at least 14 days after exposure as long as symptoms have improved and do not return during that period.

“Covid Updates” continued on page 10



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KCFB's committees preparing for the new year

By Dusty Ference, Executive Director



Dusty Ference

It's New Year's Eve as I write this report. Instead of looking back over 2020 coming to an end, I am trying to focus on the year ahead. KCFB's staff planned out 2021 events and programs in June; while that calendar is less than inspirational, I am excited about the other work KCFB has in store.

Our Legislative Committee is growing; not just the size of its membership, but its willingness, thoughtfulness and commitment to work together towards positive change. It can be difficult for us to report to the membership what this committee is working on or has achieved, as there's not always a tangible way to measure success. However, I assure you the committee will do great work in the upcoming year, and we will report out to you, the membership, as much as we can and as soon as possible.

Our Nominating Committee has its work cut out for it in the first half of the year. Board leadership changes are inevitable and healthy for an organization like Farm Bureau. The committee will work to nominate directors for multiple openings.

These examples are just a glimpse of what's in store for the year ahead. If you would like to learn more or perhaps find out how you can get involved with our committees, please reach out. And, of course, be on the lookout for stories of what we're working on in future issues of "Farm Life."

A new year will not change the year that's just ended, and no one knows when life will begin to get easier, but we are looking forward with hope for better days ahead. At KCFB, we will not stop working for you and wish you all the best in 2021. 🍀



Thanks to KCFB's New & Renewed Members

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John Mello
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Member to Member *People, Products, Prosperity*

Needham Ag Services

By Amy D. Fienen

When you choose to do business with Platinum Friend of Farm Bureau Edward Needham, you're getting more than his 35 years of experience in the ag industry, you're getting a relationship that will make you a better grower.



When he started Needham Ag Services in 2009, Needham did so with the intent of becoming a full-service resource for Central Valley growers. After spending many years gaining management experience working for various large farming companies, he transitioned into ag sales. His experience led to the creation of Needham Ag Services, which allows Needham to serve as an independent sales representative for a number of area businesses.

Needham said he is selective about the companies he represents, as they must share his commitment to excellence and customer service.

"I have a high standard of customer service and the businesses I represent share the same work ethic I have," Needham said.

The businesses Needham represents include Duarte Nursery, Irrigation Solutions, Verdegaal Brothers, KBK Dust Control Services, Phoenix Enterprises, and Sierra Packaging Solutions.

Thanks to the diversity of the companies he represents and the services they offer, Needham is able to meet a variety of farming needs. He partners with clients to supply trees and vines, soil amendments, gypsum systems, dust control materials, tree stakes, reservoir sealing, sulfuric acid, and harvesting and safety supplies.

A graduate of CSU Fresno with degrees in plant science and ag mechanics, Needham offers his clients more than a price on what they want to buy. As a licensed pest control adviser, certified crop adviser and qualified applicator, Needham welcomes the opportunity to share the wealth of knowledge he's acquired during his many years in the ag industry.

"What I do is all about communicating with the grower. It's not about selling something; it's about the relationship," Needham said. "I love helping growers identify a problem they have in the field and figuring out a solution together."

Needham prides himself on providing growers with education about what they need to produce a bountiful crop while never pushing products they don't need. And if he doesn't have a product or resource a grower needs, he'll help them find the person who does.

Needham has an office in Visalia, and estimates that he drives an average of 1,000 miles a week covering his territory which stretches from Bakersfield to Northern California. As part of his commitment to Valley ag, he has served as a director for the Kern County Farm Bureau, president of the Tulare County Farm Bureau, state director for California Farm Bureau Federation, chairman for the Tulare County Board of Supervisors Agricultural Policy Advisory Committee, and has been a long-time member of CAPCA.

He currently serves on the Fertilizer Inspection Advisory Board for the California Department of Food & Agriculture and is the treasurer for the Tulare County Sheriff's Foundation.

For more information on the products and services provided by Needham Ag Services, please visit needhamagservices.com. Edward can be contacted at (559) 977-7282, or ed@needhamagservices.com.

The "Member to Member" feature is our way of promoting the members that help make our work possible through their financial support. Please consider doing business with companies who show their commitment to the local ag industry through their support of Farm Bureau. 🐾



Kings County Rural Crime Report

Suspect apprehended in equipment theft investigations

Contributed by Detective Ben Moore

As we wrapped up 2020, the Kings County Sheriff's Office Rural Crimes Unit was busy yet again. Throughout the month of December, the unit saw an uptick in equipment thefts, primarily in the southeast area of the county. The equipment stolen included a New Holland tractor, a Kubota RTV 900, two welding trailers, a 1,600-gallon water trailer, and a flatbed trailer. As the unit investigated these thefts, a suspect named Luciano Navarro was identified and subsequently arrested. Based on information learned while conducting these investigations, the unit was able to recover both welding trailers, the water trailer and two stolen trucks which had been reported to the California Highway Patrol. The New Holland and Kubota RTV are still missing.

On Dec. 30, we attempted to contact Navarro, who had been released from custody. Our attempt to contact him was in regards to him being in possession of another stolen truck and trailer. Navarro fled in his vehicle, and after a short pursuit through the streets of Corcoran, was taken into custody. Based on information he provided during the subsequent interview, our unit and the Tulare County Rural Crimes Unit were able to recover a stolen Kubota Tractor and John Deere Gator RTV that were stolen out of Tulare County. Navarro was booked into the Kings County Jail on these new charges.

The unit also took a theft report of two trailers from the area of Jersey and 10th Avenue, but so far that case has not been tied to Navarro.

In addition to the Navarro cases, the unit took a theft report in the 6400 block of 25th Avenue, where trailer tires and gas cans were taken. This same farmer also reported that someone stole copper wire from his shallow irrigation pumps, which were located in a different area of the county (the 5500 block of 22nd Avenue). About 330 feet worth of wire was taken.

The unit took a theft report of a quad from the area of 4th Avenue and Ward and also saw an increase in calf thefts. A calf ranch located in the 18,600 block of 16th Avenue reported seven calves were stolen in about a week's time.

We are currently working with law enforcement in Los Angeles regarding a cargo theft that occurred in the 13,000 block of 1st Avenue. A semi-truck load of pistachios valued at just under \$200,000 was picked up and never delivered to the buyer. As the unit investigated this theft, we learned the information the driver provided the scale house was fraudulent. The unit may have the driver identified, but is still actively following up on this case.

Finally, we want to continue to remind everyone about the Owner Applied Number (OAN) program we offer to the public. We will issue you a California OAN number if you don't already have one, and we will stamp your equipment with that number as well, at no charge. Once again, thank you for staying vigilant and for your assistance during our investigations. If you have questions or concerns, please call any time.

Thanks again and have a great New Year!



**Task Force Sergeant
Rod Shulman:**
559-469-4004

**Detective
Carlos Santos:**
559-904-6893

Detective Ben Moore:
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Surveys show statewide snowpack at just 52% of average

The Department of Water Resources (DWR) conducted the first Phillips Station snow survey of the season on Dec. 30. The manual survey recorded 30.5 inches of snow depth and a snow water equivalent of 10.5 inches, which is 93 percent of the Jan. 1 average for this location. The snow water equivalent measures the amount of water contained in the snowpack and is a key component of DWR's water supply forecast. While conditions were positive at Phillips Station, statewide the snowpack is just 52% of average for this date.

"The snow survey results reflect California's dry start to the water year and provide an important reminder that our state's variable weather conditions are made more extreme by climate change," said DWR Director Karla Nemeth. "We still have several months left to bring us up to average, but we should prepare now for extended dry conditions. The Department, along with other state agencies and local water districts, is prepared to support communities should conditions remain dry."

On average, the Sierra snowpack supplies about 30 percent of California's water needs and the snowpack is an important factor in determining how DWR manages the state's water resources.

More telling than a survey at a single location are DWR's electronic readings from 130 stations placed throughout the state. Measurements indicate that statewide, the snowpack's SWE is five inches, or 52 percent of the Dec. 30 average.

"Today's survey brought a first glimpse of how the state's snowpack is shaping up, but there is a lot of winter still ahead," said Sean de Guzman, chief of DWR's Snow Surveys and Water Supply Forecasting Section. "While the dry conditions during late summer and fall have led to a below average snowpack, it is still encouraging to have the amount of snow we already have with two of the three typically wettest months still to come." 🙌

KCFB holds successful 2021 Membership Drive

Kings County Farm Bureau closed out 2020 with the 2021 Membership Drive. Thanks to our board members who donated their time to call potential new members and existing members whose memberships were up for renewal, more than 30 memberships were secured. We consider that a rousing success.

Thanks to each and every person who committed to support KCFB this year. We are looking forward to working on your behalf in 2021.

If you're interested in supporting local agriculture, there's still time to become a KCFB member. Our members receive the many benefits and services we provide, including:

- The KCFB monthly newspaper "Farm Life," produced exclusively for our members, as well as our electronic newsletter with industry-related news and announcements of upcoming events.

Members also receive a host of discounts on:

- Insurance services
- Pharmacy discounts
- Ag supplies
- Health services
- Vehicle purchases and rentals
- Travel and entertainment deals
- Discounts on propane, paint and fuel

Become a new member or renew today by calling Paula at (559) 584-3557. 🙌



Congratulations to Congressman Valadao

Congratulations to Kings County farmer David Valadao (R - Hanford), who successfully won the bid to reclaim his seat representing California's 21st Congressional District. Congressman Valadao lost reelection to TJ Cox (D - Fresno) by less than one percent of the vote in 2018, but was able to secure victory in the November 2020 election.

In a statement on his Facebook page, Valadao had this to say, in part, about his plans moving forward:

"I will not stop fighting to support families in the Central Valley fighting to bring more water to our communities, passing a COVID-relief package that will bring much needed help to frontline workers and small businesses, and working to improve our healthcare system so that everyone can get the care they need when they need it most."

He went on to say that he will have an open door for all Central Valley residents, regardless of background and whether or not they voted for him.

Cox and Nicole Parra have already announced plans to challenge Valadao in the 2022 election. 🙌

"Employment Laws" continued from page 1

AB 685 (Reyes) imposes a broad and vague obligation on employers to report to Cal/OSHA and the Department of Public Health COVID-19 infections an employer "knew of or should have reasonably known of" and makes failure to report a criminal violation.

AB 1867 codifies the paid sick leave program for food-sector employees that was created by Gov. Gavin Newsom's April Executive Order N-51-20 for employers of 500 or more employees and expands coverage to employers in all sectors that were not covered by the federal paid sick leave mandate in the Families First Coronavirus Response Act (FFCRA). The leave mandate expired on Dec. 31.

SB 1159 (Hill) codified Gov. Newsom's April executive order providing a rebuttable presumption of work-relatedness for COVID-19 cases among essential workers through July 2020, created a presumption of work-relatedness for workers like medical providers and first responders, and created an ongoing rebuttable

presumption of work-relatedness for non-emergency workers.

AB 2257 (Gonzalez) expanded ABC test exemptions for certain classes of workers who did not qualify under Gonzalez's original independent contractor legislation, AB 5, including some workers like freelance writers, photographers, editors and cartoonists, and some workers in the music industry.

AB 1947 (Kalra) undermines the process for "whistleblowers" (workers complaining of various forms of employer misconduct) to pursue complaints with the Division of Labor Standards Enforcement by allowing recovery of complainant attorney's fees. 🙌

**MAKE THIS YEAR,
THE ONE.
HAPPY NEW YEAR!**



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Ag Commissioner's Compliance Report



Jimmy Hook,
Agricultural
Commissioner/Sealer

Thanks for contributing to county's annual crop report

Contributed by Steve Schweizer, Deputy Agricultural Commissioner-Sealer

The Kings County Agricultural Commissioner has begun collecting crop and livestock data for the 2020 Crop Report which will be released later this spring. The commissioner is mandated by law to report on the acreage, production and value of agricultural production in the county and relies heavily on information provided by the local agricultural community to complete the report.

Every fall, we reach out to Kings County's growers and producers through various means to help collect county production data. In October, growers received a crop reporting form with their pesticide permit renewal letter. This form lists their crops and respective acreage as it appears on their permit and allows growers to fill in the blanks regarding their crop production. Once completed, the information can be returned via email or fax, or brought in when renewing the permit. Staff are also available to assist growers in completing the form when they stop in to pick up their new permit, but due to COVID-19 restrictions, returning the information on the form provided will help minimize additional in-person interaction. Follow-up emails are sent out and phone calls are placed to reach those growers that were missed during this time. Persistence by staff has enabled us to account for 80 to 90% of the acreage for many commodities, making the report an accurate reflection of the county's agricultural value. The time spent by growers providing this information is very much appreciated by the department.

One important aspect of the crop report is the values listed are gross values only and do not represent net income or loss. In addition, all information provided by growers and ranchers is protected from release by the California Public Records Act. In other words, the individual information provided is confidential and not subject to release to the public. We value the confidence shown to us by growers and producers in providing the information.

Many different businesses, organizations, agencies, and individuals utilize the annual crop report. These include agricultural suppliers, farm credit organizations, agricultural research and educational facilities, transportation agencies, and farm labor offices. Even individual ranchers and growers use the report for comparison to other producers and for planning future production. Our office utilizes the data when disasters such as droughts and storms strike the local farming community. By taking the five-year crop values and plugging in the acres damaged, we can calculate the total value loss to the county for the various incidents. These values are used should any disaster relief funds become available.

Again, thanks and appreciation are extended to the many producers and organizations who contribute every year to our report. 🙏

Nutria control continues statewide

Contributed by Steve Schweizer, Deputy Agricultural Commissioner-Sealer

As of the first week of December 2020, approximately 2,051 Nutria have been trapped statewide since they were first detected in March 2017. Most of the detections were reported in two counties—Merced and San Joaquin—but the pest has also been located in Stanislaus, Mariposa and Fresno counties. The California Department of Fish and Wildlife is the state agency carrying out the surveying and trapping activities. The Kings County Agricultural Commissioner is also responding to possible sightings of the pest by visual surveying, as well as utilizing trail cams and live traps where appropriate. To date there have been no confirmed sightings in Kings County, but the survey work will continue.



Nutria is a semi-aquatic rodent ranging in size between that of a muskrat and a beaver. It can severely impact the state's resources, causing the loss of wetlands, severe soil erosion, damage to agricultural crops and levees, and reduced stability of banks, dikes and roadbeds. The pest was eradicated from California in 1978, but was detected again in Merced County in March 2017. 🙏



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ASSOCIATIONS

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"Covid Updates" continued from page 1

Guidance issued for mandatory COVID-19 vaccine policies

Though a COVID-19 vaccine for large swaths of the U.S. population may not be available until the spring or summer of this year, the U.S. Equal Employment Opportunity Commission (EEOC), the principal agency coordinating enforcement of federal anti-discrimination laws, has issued guidance indicating that employers may require employees to take a COVID-19 vaccine potentially as a condition as a return-to-work or workplace access condition.

A requirement for employees to take a COVID-19 vaccine when available implicates federal civil rights laws, including the Americans with Disabilities Act (ADA), the Genetic Non-Discrimination Act (GINA), and the religion-based discrimination prohibitions of Title VII of the Civil Rights Act of 1964. EEOC's guidance clarifies that employers who wish to adopt a mandatory vaccination policy must make exemptions or accommodations for employees with sincerely-held religious beliefs that prohibit receiving the vaccine, or medical conditions or disabilities that prevent them from receiving the vaccine; however, EEOC's guidance clarifies that a requirement to furnish an employer with evidence the employee has received the vaccine is neither a medical examination or disability-related inquiry that would be regulated by ADA. However, should an employer elect to administer a mandatory vaccine or have this done by a third-party provider, it is likely that potential vaccine recipients will be asked questions that could elicit responses pertaining to a possible disability, so doing so must be job-related and consistent with business necessity. 🗣️

Farm Day 2021 Cancelled

This is the time of year when we typically begin recruiting volunteers for Farm Day, our annual field trip for Kings County's third graders. But as COVID-19 shows no signs of letting up, we have made the difficult decision to cancel this year's Farm Day out of respect for the health and safety of all involved. We are looking forward to Farm Day 2022, and hope you'll plan to join us in making next year's event a huge success.



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KCFB 2021 scholarship applications being accepted

Kings County Farm Bureau offers scholarships to students based upon academic achievement, extracurricular activities, determination, leadership skills, and a commitment to a career in agriculture. This year, the committee will use discretion on the number and amount of awards to be distributed. In addition, scholarship recipients will receive a complimentary one-year collegiate membership in the Kings County Farm Bureau.

Who is eligible?

Students must be entering a two-year or four-year accredited college or university, or vocational education institute with the intent to pursue a career in the agricultural industry. Students must be a resident of Kings County or attend a Kings County high school.

Requirements & Recommendations:

- Official high school transcript (MUST be attached to submitted application)
- MUST have 2.5 minimum G.P.A. at the time of application submission
- Two letters of recommendation (MUST be attached to submitted application. Cannot be from applicant's relative)
- MUST be pursuing a career in the agricultural industry
- It is recommended that applicant demonstrate a history of service to Kings County agriculture or the Kings County Farm Bureau through some form of volunteerism or community service project
- It is recommended that applicant's parent, employer or relative be a Kings County Farm Bureau member

Deadline: March 9, 2021

Applications must be received by **4:30 pm in the KCFB office or post-marked by March 9, 2021**. Email applications will be accepted by the deadline date and time. Make sure that application and all attached documents are scanned and uploaded in PDF format. Scholarship application can also be downloaded from KCFB website: www.kcfb.org OR FILLED OUT ONLINE. (Please upload attachments with application)

Kings County Farm Bureau Office address:
870 Greenfield Ave., Hanford, CA 93230
email: kcfb@kcfb.org

For more information: (559) 584-3557 📞



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