



OnTarget

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PRESIDENT BIDEN ANNOUNCES NEW COVID-19 ACTION PLAN FOR EMPLOYERS

On September 9th, President Biden announced he has directed the federal Department of Labor's Occupational Safety and Health Administration (OSHA) to implement a national vaccination mandate that would require employers with 100 or more employees to ensure that their workforce is fully vaccinated, or that unvaccinated employees get tested for COVID-19 weekly. OSHA will issue this requirement as an Emergency Temporary Standard (ETS), which will allow for faster implementation. Please note, however, that this rule has not been issued yet, and is therefore not yet in effect.

Specifics for this new rule are not yet known, but President Biden also directed OSHA to incorporate a requirement that employers with more than 100 employees provide paid time off for workers to get vaccinated and to recover from post-vaccination symptoms.

What this means for employers:

At this time there is little information on this new ETS, including how OSHA will enforce it or how employers can record compliance. Until OSHA releases the ETS or a proposed ETS, there is no deadline for employers to ensure vaccination status. CFFA will continue to follow these developments and will make membership aware as additional information is available.

The full text of President Biden's COVID-19 Action Plan can be found here: <https://www.whitehouse.gov/covidplan/>.

This information was provided by Barsamian & Moody with a goal to provide employers with current labor and employment law information. The contents should neither be interpreted as, nor construed as legal advice or opinion. The reader should consult with Barsamian & Moody at (559) 248-2360 for individual questions or concerns.

If you have any questions, please contact Ian LeMay at (559) 226-6330 or ilemay@cafreshfruit.com.

AIR DISTRICT GRANT FUNDING AVAILABLE FOR AG BURNING PHASE OUT

The Valley Air District Governing Board unanimously accepted \$178.2 million in new State funding directed to the San Joaquin Valley to launch an expanded grant program to assist farmers in phasing-out the open burning of woody waste through the use of new cleaner practices, including the chipping of material for incorporation into the soil and other cleaner alternatives.

After nearly two decades of significant work to reduce agricultural burning in the San Joaquin Valley, the District and the California

Phase Out of Open Agricultural Burning in the San Joaquin Valley

Learn more about the ongoing phase out of agricultural open burning in the San Joaquin Valley. Critical regulations include a new complete phase out by January 1, 2025. Significant incentive funding is available to assist farmers in making this transition.

SCAN QR CODE

COOP TYPE	Incentive Funding is NOW AVAILABLE		
	Chipping with soil incorporation	Chipping without soil incorporation etc.	Chipping with off-site beneficial use
Orchards	Up to \$600 per acre	Up to \$300 per acre	Up to \$400 per acre
Compost/vineyard	Up to \$800 per acre	Up to \$500 per acre	Up to \$900 per acre
Continued interest	Up to \$1,300 per acre	Up to \$1,000 per acre	Up to \$1,300 per acre

ADDITIONAL \$100 PER ACRE FOR SMALL AG OPERATIONS LESS THAN 100 ACRES

Chipping Equipment: Funding is available to help farmers purchase chipping equipment and materials to support the phase out of open burning.

www.valleyair.org/agburningincentives | (559) 230-5800 | grants@valleyair.org

Air Resources Board have approved a strategy that will result in a near complete phase-out of all Valley agricultural burning by January 1, 2025. To meet this deadline, the Air District has worked closely with agricultural stakeholders and leaders to bring new state funding to the Valley to help ensure that this phase-out is successful.

The \$178.2 million in state funding will be used to fund the District's *Alternatives to Agricultural Open Burning* Grant program on an expanded scale throughout the Valley. Originally launched by the District in 2018 as a pilot program, the *Alternatives to Agricultural Open Burning* Grant program provides financial incentives to agricultural operations to chip woody materials as an alternative to burning and helps to continue to improve air quality in the Valley.

With this new funding, the *Alternatives to Agricultural Open Burning* Grant program will be enhanced to provide additional funding for small agricultural operations of less than 100 total acres; expand funding options for vineyard removals; expand options for chipped material disposal through beneficial reuse alternatives such as mulch or compost; and provide an option to fund the purchase of new chipping equipment to be used within the Valley, amongst other program enhancements.

The District anticipates the new program to launch in early September 2021 and encourages interested agricultural operators in the San Joaquin Valley to learn more about this funding and other available grants by visiting www.valleyair.org/grants or by calling program staff at (559) 230-5800. see attached to view the informational flyer. For more information contact Director of Government and Public Policy Adam Borchard (aborchard@cafreshfruit.com).

CALIFORNIA FRESH PRODUCE INDUSTRY RESPONDS TO ACTION ON SB 559

CFFA, along with Western Growers and California Citrus Mutual issued a joint statement as State Senator Melissa Hurtado was forced to pull her SB 559 bill after the California Assembly Appropriations Committee removed all funding provisions.

CFFA President Ian LeMay stated, "With nearly 90 percent of the state in extreme or exceptional drought, including virtually all the 3.25 million acres of farmland dependent on irrigation from the State Water Project and Central Valley Project, the move to strip

SB 559 of its funding demonstrates the clear intent of the Assembly to drive food production out of California.” He continued, “In light of the staggering state budget surplus, the decision to defund the repair of our critical conveyance systems is not financial, but ideological, and will harm thousands of multi-generational family farms and countless disadvantaged communities in the San Joaquin Valley.” To read the entire response, please visit (<https://www.wga.com/press-releases/california-fresh-produce-industry-decries-assembly-action-sb-559>). For more information, contact Ian LeMay (ilemay@cafreshfruit.com).

CFFA PARTICIPATES IN TOUR WITH STATE SENATORS



On September 13th and 14th, CFFA President Ian LeMay and Director of Government and Public Policy Adam Borchard along with peer agricultural organizations hosted California State Senators for a tour of the Salinas and



San Joaquin Valley’s. The visits focused on labor and water issues effecting the industry. For more information contact Adam Borchard (aborchard@cafreshfruit.com).

FRESNO COUNTY HOSTING FLU CLINICS

The Fresno County Department of Public Health is hosting a series of flu shot clinics at various locations around the county in hopes of minimizing the effects of the flu during the winter months. Please see the English and Spanish flyers attached for clinic locations and details.

Additionally, if your company is interested in hosting a flu and Covid-19 vaccination clinic at your facility, please email covidag@fresnocountyca.gov or call (559) 600-4063. For more information, please visit www.fcdph.org/flu.

CLASS DECERTIFICATION VICTORY IN MEAL BREAKS SUIT

Barsamian & Moody provided an overview of a decision by the California Court of Appeals that could be of assistance to employers confronted with class action issues. To read the brief, please see the attached document.

Contact Barsamian & Moody to ensure that your company has a legally compliant policy and that employees are properly trained to comply with the policy, which may help defeat class certification one day.

The goal of this article is to provide employers with current labor and employment law information. The contents should neither be interpreted as, nor construed as legal advice or opinion. The reader should consult with Barsamian & Moody at (559) 248-2360 for individual responses to questions or concerns regarding any given situation.

CFFA BOARD OF DIRECTORS MEETING SET FOR NOVEMBER 5TH



MONTEREY PLAZA HOTEL & SPA

The California Fresh Fruit Association’s next Board of Directors meeting is scheduled for Friday, November 5, 2021. The meeting will begin at 8:30 a.m. and will be held at the Monterey Plaza Hotel & Spa. Inquiries & RSVPs regarding the upcoming meeting should be directed to Courtney Razor at crazor@cafreshfruit.com.

CFFA HARVEST EVENT SET FOR NOVEMBER 12TH

California Fresh Fruit Association PAC would like to invite you to join us for our 42nd Annual Harvest Event, taking place from 6-9 p.m. on Friday, November 12th at the Vintage Press Restaurant (216 N. Willis, Visalia).

Ticket cost is \$300 and includes dinner for two. All proceeds benefit the Association’s political action committee, FruitPAC.

Sponsorship Opportunities: Our Associate Members may also use our online registration to become event sponsors! The cost of a Silver Sponsorship is \$1,000 and includes two dinners. The cost of a Gold Sponsorship is \$1,500 and includes four dinners.

Both Sponsorship levels will also receive promotional consideration before, during, & after the event, in the form of recognition in OnTarget, our Harvest Event program, Annual Report & more! We hope that you will support this very important event.

For more information, including registration and sponsorship, please contact Allyson Calderon (acalderon@cafreshfruit.com).

A VERY SPECIAL THANK YOU TO OUR CURRENT SPONSORS!

GOLD SPONSORS



SILVER SPONSORS

