

Labor bill would hurt ag construction, attorney says

By **DAN WHEAT**
Capital Press

A farm labor bill that recently passed the House Judiciary Committee would be “catastrophic” to the agricultural construction and livestock industries, says a law firm specializing in providing H-2A-visa foreign guestworkers for agricultural construction.

But U.S. Rep. Dan Newhouse, R-Wash., a chief sponsor of the bill, says the law firm and other companies are exploiting a loophole in the law and should be using non-agricultural H-2B visas.

H-2A visas are intended for workers for agricultural production and the only



Kyle Farmer

work, Newhouse said.

His bill continues that provision, but a challenge by an agricultural construction firm in 2008 led to a settlement with the U.S. Department of Labor and more companies using the provision to do agricultural construction on property they don’t own for the past decade.

Farmer, Farmer & Brown Law Firm, in Marietta, Ga., provides about 1,500 H-2A workers annually to

allowance for agricultural construction was if it were on property owned by the employer doing the

mostly agricultural construction companies in 23 states including Washington and has offices in Georgia, Texas and Iowa.

Of 257,667 H-2A positions certified by the U.S. Department of Labor in 2019, probably 2,500 to 3,000 were in agricultural construction and mostly in building livestock confinements, said Kyle Farmer, co-founder of the law firm.

The Farm Workforce Modernization Act, H.R. 5038, introduced by Newhouse and Rep. Zoe Lofgren, D-Calif., Oct. 30, passed the Judiciary Committee, 18 to 12, on Nov. 21. The sponsors hope it passes the full House before the end of the year.

Seeking to ensure a legal

and sufficient agricultural workforce, the bill provides renewable visas for agricultural workers in the country illegally, phases in mandatory E-verify (electronic verification of employment eligibility), amends the H-2A-visa agricultural foreign guestworker program and freezes the minimum wage of H-2A workers at 2019 levels through 2020.

There are good aspects of the bill but prohibiting agricultural construction from using H-2A is not one of them, Farmer said.

“We have years of experience in agricultural construction. We have advertised tens of thousands of open positions, hired hundreds of U.S. workers, and seen the

struggles these employers go through to fill the positions to meet their contractual needs,” Farmer said, adding only H-2A workers and undocumented laborers fill the jobs.

Positions have been advertised at \$1,500 per week and \$21 an hour which is above the H-2A minimum wage and people don’t take the jobs, he said.

“U.S. workers do not want these jobs because they are remote, require extensive travel and are hard and dirty work. U.S. workers who do take them do not last,” he said.

The non-agricultural H-2B visa can’t be used because agricultural construction is agricultural in

nature and there are not enough H-2B visas to fill the need because numbers are capped and full, he said.

Many agricultural construction companies use only H-2A workers and without the workers, the companies will not survive and the cost of livestock production will “dramatically increase,” Farmer said.

But Newhouse said construction companies, not in agricultural construction and not using H-2A workers, complain of a competitive disadvantage because they have to pay higher wages.

“This company,” he said referring to Farmer, Farmer & Brown, has previously used H-2B and it required higher wages.”

Apple Education Foundation concludes 25th year

By **DAN WHEAT**
Capital Press

WENATCHEE, Wash. — The Washington Apple Education Foundation paid tribute to more than 150 volunteers at a recent awards breakfast as it finished the year by providing \$1.1 million in scholarships to more than 330 students of tree fruit industry families in Central Washington.

The foundation has provided \$9 million in direct scholarship aid to more than 2,000 students since its inception 25 years ago, said Jennifer Witherbee, foundation executive director.

“Our mission is to impact lives through access to educational opportunities,” Witherbee said.

The foundation supports local school programs for farmworker families, but its hallmark is providing college scholarships to students.

A past scholarship recipient, Nate Rubio, of Moses Lake, was recognized as Alumni Volunteer of the Year at the foundation’s annual Volunteer Appreciation Breakfast at the Cave B Inn near Quincy on Nov. 21.

Rubio grew up in Brewster, attended Eastern Washington University and is a human resources manager for Washington Fruit & Produce Co. in Yakima. He and his family have established a scholarship, through the foundation for other Brewster High School graduates.

Also at the breakfast, Nate Fulton was named Volunteer of the Year. Fulton is an agribusiness specialty practice director for PayneWest Insurance in Yakima and previously worked for Wells Fargo and Moss Adams, the largest CPA firm on the West Coast.



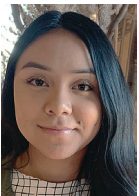
Jennifer Witherbee



Nate Rubio



Nate Fulton



Evelyn Carreto

viously worked for Wells Fargo and Moss Adams, the largest CPA firm on the West Coast.

Fulton has been involved with the foundation for many years helping with fundraising, scholarship selections, student mentorship and as a workshop presenter. He worked for his grandparents’ apple growing and packing operation in Omak in his high school and college years.

Evelyn Carreto, a second-year foundation scholarship recipient at Big Bend Community College in Moses Lake, spoke at the breakfast. She is studying nursing, and her father works at a Royal City Orchard.

Stemilt Growers, of Wenatchee, received the Group Volunteer of the Year award for 16 Stemilt employees participating in foundation volunteer work, including hosting job shadows for students.

Collectively, foundation volunteers reviewed more than 400 scholarship applications, sent “care” packages to more than 300 students and participated in mentoring, workshops and career development.

By **GEORGE PLAVERN**
Capital Press

PORTLAND — A vibrant yellow flower found in northwest Oregon and southwest Washington is up for removal from the federal list of threatened and endangered species.

The U.S. Fish and Wildlife Service has proposed delisting Bradshaw’s desert parsley, citing efforts by public and private landowners to help the perennial herb recover throughout its range.

Despite its name, Bradshaw’s desert parsley — also known as Bradshaw’s lomatium — grows in wet prairies extending from Clark County, Wash., to the southern end of Oregon’s rainy Willamette Valley, with the greatest density of populations near Eugene, Ore.

Historically, a combination of natural fires and intentional burns helped Bradshaw’s desert parsley to thrive by keeping woody plants from encroaching on open habitat. The species began to decline as fire suppression and urbanization led to a loss of undeveloped prairies.

Bradshaw’s desert parsley was listed as endangered in 1988. At the time, there were just 11 populations and fewer than 30,000 total plants.

Now the USFWS says Bradshaw’s desert parsley is flourishing again with more than 24 populations and 11 million plants, thanks to local partnerships to improve habitat and combat invasive species.

Paul Henson, the agency’s Oregon state director, said the U.S. Army Corps of Engineers has done a good job of managing its lands for Bradshaw’s desert parsley. The Corps operates 13 Willamette Basin dams for



USFWS

Bradshaw’s desert parsley.

irrigation, flood control and wildlife.

Private landowners too have contributed to the recovery of habitat for Bradshaw’s desert parsley, Henson said, with assistance from the USFWS Partners for Fish and Wildlife Program and USDA Natural Resources Conservation Service’s Wetland Reserve Program.

“These efforts played a big role in protecting almost all sites and individuals from further habitat loss and fragmentation,” Henson said.

Environmental groups hailed the recovery of the flower as a success story for the Endangered Species Act.

“It’s always good news when a plant or animal is saved from extinction, so today we celebrate Bradshaw’s desert parsley and the (ESA),” said Tierra Curry, a scientist with the Center for Biological Diversity based in Portland. “This lovely wildflower is yet another success for America’s most effective conservation law.”

The statement comes

as the Center for Biological Diversity filed a notice of intent to sue the USFWS on Nov. 20 for failing to decide whether 274 plants and animals across the country should be federally protected. The agency has a backlog of more than 500 species awaiting ESA decisions, according to the group.

The public has until Jan. 27 to comment on the proposed delisting for Bradshaw’s desert parsley. For more information, visit www.fws.gov/oregonfwo.



WESTERN PACKAGING

Your Future is Our Future...



WE SPECIALIZE IN BULK BAGS!

BAGS:

- Seed Bags
- Fertilizer Bags
- Feed Bags
- Potato Bags
- Printed Bags
- Plain Bags
- Bulk Bags
- Totes
- Woven Polypropylene
- Bopp
- Polyethylene
- Pocket Bags
- Roll Stock & More!

HAY PRESS SUPPORT:

- Hay Sleeves
- Strap
- Totes
- Printed or Plain
- Stretch Film (ALL GAUGES)

WAREHOUSE PACKAGING:

- Stretch Film
- Pallet Sheets
- Pallet Covers

LOCATIONS:

Albany, Oregon (MAIN OFFICE)
Ellensburg, Washington

CONTACT INFORMATION:

Phone: 855-928-3856
Fax: 541-497-6262
info@westernpackaging.com

CUSTOMER SERVICE IS OUR TOP PRIORITY!

www.westernpackaging.com

S157846-1

50th Anniversary



2020 NORTHWEST AGRICULTURAL SHOW

JAN 15-17 | **SALEM, OREGON**
OREGON STATE FAIRGROUNDS
2330 17th Street NE Salem, OR 97301

➡ **OVER 110 EXHIBITORS & PARTNERS**

➡ **MORE THAN 20 seminars & workshops**

➡ **3 BIG DAYS IN 3 BUILDINGS**

For more information visit, NorthwestAgShow.com

DISCOUNTED & FREE ADMISSION

Courtesy of :



Northwest Ag Show Sponsors

