

Washington agriculture warns bills would make labor scarce

By **DON JENKINS**
Capital Press

OLYMPIA — The Washington Farm Bureau and other business groups warned Monday that two bills sponsored by Senate Democrats would create labor shortages and upset the state's paid leave program.

Agricultural workers and other "frontline employees" could get more sick and family leave during a public health emergency under Senate Bill 5115.

Under one provision, workers in companies with 50 or more employees could take up to 12 weeks off and collect up to \$10,000 if their child's day care closed or school was not holding in-person classes.

Senate Bill 5097 would expand the scope of family leave. Currently, workers can take paid time off to care for children, grandchildren, parents, grandparents, siblings and a spouse.

The bill would allow workers to take family leave to care for anyone to whom they had an "affinity."

Supporters said the bills respond to the pandemic, letting workers quarantine, recover and take care of others.

Food Northwest lobbyist Dan Coyne told the Senate Labor, Commerce and Tribal Affairs Committee

there are better ways to protect workers.

"Mainly, the state of Washington needs to up its game in making COVID vaccine available to all frontline workers as quickly as possible," said Coyne, who represents food processors.

"There is mass confusion among employers that I work with about how to responsibly get our employees in line for vaccines," he said.

The Farm Bureau called the two bills "extremely bad." Associate director of government relations Breanne Eley said they would worsen an existing labor shortage and leave crops in fields.

"There's no ability to postpone (harvests) until your crew returns from three months of leave," she said.

SB 5115 would apply to a broad-range of workers, including nurses, janitors, firefighters, bus drivers, teachers and retail clerks, as well as farm and food processing workers. It has union support.

The bill has several major provisions:

- A frontline worker who tests positive for COVID-19 would be assumed to have been infected at work and would be eligible for workers compensation benefits.
- Employers would have

to provide personal protective equipment.

- Employees who publicly complain about workplace conditions would be shielded from retaliation. A whistleblower could get up to 40% of a fine levied by the state.

- A worker would be eligible for paid leave after earning \$1,000. Currently, an employee must work for 820 hours to be eligible, or about 16 weeks of paying into the system.

Employers would get a tax credit to offset the higher benefits. Business groups warned that eventually someone will have to pay.

- Frontline workers who are paid at or near minimum wage would get a 25% pay raise, increasing the minimum wage to \$17.11.

- Employers must report outbreaks of the disease in their workforce within 24 hours. At the same time, workers are not required to report any medical condition or diagnosis to their employer.

Farm Bureau director of safety and claims Richard Clyne said farms started last spring to keep their essential employees healthy and working.

"Unfortunately, it would mean that all of their efforts at safety are being met with a slap in the face," Clyne said.



Courtesy of Gebbers Farms

Plastic barriers separate workers in a break room at Gebbers Farms in Okanogan County, Wash. The farm has appeal a \$2 million fine issued by the Washington Department of Labor and Industries.

Gebbers Farms appeals \$2 million fine

By **DON JENKINS**
Capital Press

Gebbers Farms, a north-central Washington tree fruit grower, has appealed a \$2 million fine issued by the Department of Labor and Industries for coronavirus-safety regulations.

The farm filed the appeal to the Board of Industrial Insurance Appeals, which hears challenges to L&I penalties. The deadline to appeal was Wednesday.

L&I said Gebbers violated housing and transportation rules over a 12-day period in July, potentially exposing 2,700 foreign guest workers to the coronavirus. Two workers who lived in farm housing died of COVID-19.

Gebbers said it consulted

an outside expert before the harvest season and developed a plan to keep workers safe.

At the order of the state, some 3,000 Gebbers workers were tested for COVID-19 in the late summer and less than 1% tested positive, a lower rate than the general population of Okanogan County.

Gebbers said in a statement Monday that the farm shared L&I's goal to protect workers.

"While we cannot comment on the alleged July 2020 violations because of pending litigation, our decision to appeal the state's allegations is rooted in the truth that Gebbers farms took extraordinary measures to keep employees safe while they were at work and 99.3% of our entire workforce tested

negative for the virus," the farm stated.

The large fine stemmed from transporting workers in a bus and housing workers in bunk beds. To prevent the virus from spreading, Gebbers isolated workers in groups of 42, while the state limited "cohorts" to 15 workers.

The farm has been in compliance with the state rules since July 27.

The farm was fined \$7,200 for not immediately notifying L&I of one worker's death. The farm said the man died in a hospital and that it didn't learn of the death until several days later.

Gebbers also was penalized for not having toilet paper or hand-washing stations at all field bathrooms.

Dairy forecast holds optimism

By **CAROL RYAN DUMAS**
Capital Press

While the outlook is better for dairy markets than it was in the early months of the COVID-19 pandemic, there are still uncertainties ahead.

"We aren't quite done with COVID yet. Unfortunately, we're at another peak," Mark Stephenson, director of dairy policy analysis at the University of Wisconsin, said during the latest "DairyLives-tream" webinar.

The pandemic has had pretty heavy impacts on the marketplace. Things are now going into a tail-spin of worldwide recession because the pandemic has caused a lot of supply-chain disruptions, not just for dairy but virtually every supply chain across the globe, he said.

"It will have an impact on dairy demand if people remain out of work and if we really can't get back into the restaurant segment in a serious and strong, meaningful way," he said.

After declining in the early months of the pandemic, U.S. milk production has come

back strong and was up 3% year over year in November. Increases above 2% are in the big growth territory, and that almost surely needs to be handled by exports, he said.

Milk production in the European Union, Oceania and Argentina has also come back, he said.

"We need worldwide demand to hang tight if we're going to continue to sell a lot of dairy product into export markets," he said.

But while there is uncertainty, there is reason for optimism in dairy markets, he said.

There is a fifth round of the USDA food box program, which has been expanded to a variety of dairy products in addition to cheese and fluid milk. Grocery store sales have remained above a year earlier, and the industry is starting to move a little more dairy product through food-service and institutional channels, he said.

There's also some back-to-work happening with some version of normal. There are additional export opportunities, and there are COVID vaccines and better testing and

tracing taking place, he said.

"All those things I think give us some optimism about dairy markets this next year," he said.

But there are still concerns about how rapidly the vaccines will be administered, and it's going to take some time before herd immunity is achieved.

"Even when we do, the U.S. is going to take a while to dig out from this recession — as is much of the rest of world. This is not going to be an easy thing for us to climb out of," he said.

As for milk prices in 2021, he's forecast U.S. average prices at \$18.50 per hundredweight for the all-milk price, \$17.35 for Class III and \$16.56 for Class IV.

"I think we're going to have some more tightness in the marketplace during some periods of time, and I think we're going to see some time periods where our markets our challenging again. I do not expect the kind of troughs that we saw in April and May," he said.

That's because the markets better know how to handle another shutdown in the U.S. marketplace if that happens, he said.



Mark Stephenson

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2021 WORKSHOP SCHEDULE

Register online at: www.wawg.org/ammo-workshops

JAN 26

WHAT'S BEHIND SEED TREATMENT • WEBINAR
 Speaker: Syngenta
 Time: 9:00 a.m. - 10:00 a.m. PST

JAN 29

THE BUILDING BLOCKS OF YIELD • WEBINAR
 Speaker: Peter Johnson aka Wheat Pete
 Time: 9:00 a.m. - 10:30 a.m. PST

FEB 8

STRATEGIC COMMODITY MARKETING • WEBINAR
 Speakers: Randy Fortenberry, Washington State University
 Time: 9:00 a.m. - 10:30 a.m. PST

FEB 11

WHEAT LIES AHEAD FOR AG POLICY IN DC: AN UPDATE FROM NAWG • WEBINAR
 Speaker: National Association of Wheat Growers
 Time: 11:00 a.m. - 12:00 p.m. PST

FEB 16

AMERICA ON THE EDGE • WEBINAR
 Speaker: Peter Zeihan
 Time: 1:00 p.m. - 2:30 p.m. PST

FEB 18

WHEAT 101: WHAT'S NEW IN 2021 • WEBINAR
 Speakers: Natural Resources Conservation Service and Farm Service Agency
 Time: 9:00 a.m. - 10:30 a.m. PST

FEB 23

WEATHER RISK IN WHEAT PRODUCTION — AN OUTLOOK FOR 2021 • WEBINAR
 Speaker: Eric Snodgrass
 Time: 9:00 a.m. - 10:30 a.m. PST

JUN 15

WHEAT COLLEGE • IN-PERSON
 Speaker: Peter Johnson aka Wheat Pete in coordination with Corteva Agriscience
 Location: Ritzville, WA
 Time: 9:00 a.m. - 3:00 p.m. PDT

For more information: **1.877.740.2666** Email: lori@wawg.org
 Web: wawg.org/ammo-workshops

Meeting restrictions are being monitored. Should a session need to convert to a webinar format due to travel restrictions, watch for updates from WAWG. Webinars and Wheat College are free of charge. Other in-person sessions are free to WAWG members. Non-members are welcome at \$25. Lunch included at any in-person session.

A program of the Washington Association of Wheat Growers

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