



# Capital Press

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# TOO MUCH, TOO HIGH, TOO SLOW

## Farmers in western Washington reap what a wet and cold spring, combined with higher input prices, sowed



Capital Press File  
**Snohomish County, Wash., farmer Andrew Albert**

**L**ast spring, Western Washington farmers were forced to work around unseasonably cold and wet weather, along with spiraling costs and an unreliable supply chain. With harvest approaching, the consequences are still unfolding.

The weather delayed planting and interfered with pollination. Snohomish County farmer Andrew Albert said he likes to finish harvesting silage corn

the first week of October. No way that will happen this year, he said.

“We’re going to let it go as long as we can. If we get a rainy fall, it’s going to be ugly,” he said. “It looks like it’s going to be a dismal year for corn.”

Weather records kept by the National Centers for Environmental Information go back to 1895. This year, Washington state had its third-wettest and sixth-coldest weather for April to June on record.

It was a stark about-face from 2021. Last year was the fifth-warmest and third-driest April to June on record.

### ‘Unique year’

“It’s definitely a unique year to farm,” said Tristan Klesick, who grows vegetables in Snohomish County. “For sure, we’re looking forward to putting this year in the rear-view mirror and starting fresh next year.”

“We considered the spring a bust,”

*See Weather, Page 11*



Don Jenkins/Capital Press  
**Grass mixes with barley harvested in southwest Washington. Grass grew well during the unusually wet spring.**



Lewis County, Wash., farmer Dave Fenn mows a field. In the cold and wet, grass outpaced barley.

Don Jenkins/Capital Press

# Jury rejects H-2A discrimination lawsuit against farm

By **MATEUSZ PERKOWSKI**  
Capital Press

A federal jury has shot down claims that an Oregon vegetable producer unlawfully discriminated against a farmworker by favoring foreign guestworkers.

In 2020, Teofilo Ibanez de Dios filed a lawsuit accusing Siri and Son Farms of St. Paul, Ore., of firing him for complaining about preferential treatment for foreign employees hired through the H-2A program.

An eight-member jury has unanimously rejected the plaintiff’s allegations that Siri and Son Farms violated the Migrant and Seasonal Workers Protection Act or state laws against discrimination and retaliation.

The jury reached its conclusion on Aug. 3 after a three-day trial held at the

federal courthouse in Eugene, Ore. Rather than settle the lawsuit, Siri and Son Farms wanted to prove in court that it hadn’t done anything wrong, said Tim Bernasek, the company’s attorney. “They felt it was important to take it all the way,” Bernasek said.

He said it’s encouraging the farm has prevailed in the jury trial, particularly since labor advocates increasingly seem motivated to challenge the H-2A program in court.

“As cases like the Siri and Son case result in defense verdicts, I’d hope that would dampen the zeal of plaintiffs’ lawyers in bringing these types of cases,” Bernasek said.

An attorney for Ibanez de Dios said the plaintiff and his legal team are disappointed in the jury’s verdict and are discussing their legal options.

According to the plaintiff, the farm

initially told him there was no work available even though it was bringing in H-2A workers to harvest and box crops.

The plaintiff claimed he was hired only upon returning with a state notice about H-2A job openings, but later discovered he earned about \$2.30 less than the foreign workers.

After the plaintiff complained about the wage discrepancy, his supervisor agreed to a pay increase but then berated and fired him later the same day, according to the allegations in the complaint.

The lawsuit claimed the farm violated federal and state labor laws by providing false and misleading information, failing to fully pay the plaintiff when due and retaliating against

*See H-2A, Page 11*



Don Jenkins/Capital Press File  
**Farmworkers pick cucumbers. An Oregon producer of cucumbers, radishes, leeks and other vegetable row crops has prevailed in lawsuit that claimed the farm unlawfully favored foreign guestworkers.**

# Season of change comes for OFB’s Dave Dillon



Mateusz Perkowski/Capital Press  
**Dave Dillon, the new executive director of Food Northwest, a regional food processing organization, spent 20 years at the helm of Oregon Farm Bureau.**

By **MATEUSZ PERKOWSKI**  
Capital Press

If changes in leadership are comparable to shifting seasons, Dave Dillon reckons he’s had a “very long, full season” at the Oregon Farm Bureau.

After 20 years at the state ag group’s helm, Dillon has taken a job at Food Northwest, a regional organization representing food processors.

“The hardest time to leave can

also be the best time to leave,” he said.

Dillon figures the organization is in solid shape for whoever replaces him as executive vice president — financially strong, with a “fantastic” roster of staff members and elected leaders, he said.

As Food Northwest’s executive director, he expects to deal with “ag-adjacent” issues, such as labor shortages and environmental regulations, that are substantially similar but one step downstream in the food supply chain.

“There’s a real opportunity to take something good and build it up to something better,” Dillon said of his new job.

An overlapping challenge facing both organizations is the current political environment, which he’s watched become increasingly belligerent and divisive over the past couple decades.

“Politics in Oregon were a lot more centrist in those early years,” Dillon said. “There was a lot more

*See Dillon, Page 11*

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