



Riverside County

AGRICULTURE

The official publication of Riverside County Farm Bureau, Inc.

A private, nonprofit organization serving farmers throughout Riverside County since 1917

NEW H-2A REGULATIONS ANNOUNCED

By Jack King, Manager, National Affairs & Research Division, CFBF

On February 6th, The United States Departments of Labor (DOL) and the Department of Homeland Security (DHS) announced proposed administrative and regulatory changes they plan to make to the existing H-2A guest worker program.

The H-2A program allows people from other countries to enter the United States legally to work on farms and ranches. By way of context, the current H-2A program has not been widely used in California for a number of reasons including housing requirements, the high incidence of litigation, burdensome paperwork, attestation requirements by DOL to show that there are no local workers available, and the need for greater streamlining to ensure that workers are available in a timely manner. Furthermore, the H-2A program, as currently written, is unable to allow workers to move from crop-to-crop and employer-to-employer. Some of the proposed changes address the problem areas, though not completely. In addition, there are limits to what can be done administratively without actual legislative changes. The California Farm Bureau Federation (CFBF) will continue to push for AgJobs legislation, both as a means of dealing with the overriding need for legalization of the current workforce and as a way to make meaningful H-2A changes into the law itself.

The announced H-2A changes will be open to public comment and likely won't be finalized until the end of 2008. The changes may also be subject to litigation. Keep in mind, however, that regulations are subject to interpretation and changes by any subsequent administrations. The number of H-2A employee contracts is on the rise in California, but still represents less than two percent of our total agricultural labor needs. The Department of Homeland Security has also repeated its intent to stiffen border enforcement.

The proposed administrative and regulatory changes by DOL and DHS include:

- DOL will move the application process to an attestation-based labor certification process to deal with the current cumbersome process. DOL claims the new approach will vastly speed-up the application process and relieve some of the duplicative and burdensome requirements.
- In regard to housing inspections by state agencies, the application process will no longer be held-up waiting for approval of the housing inspection.
- The new regulations would change how the H-2A wage rate is determined to reflect more local wage conditions (under existing H-2A programs each state is given an adverse effect wage rate, which then becomes the minimum wage rate that contracted H-2A can be paid). This appears to be a sincere attempt to make the wage rate conform more closely to actual prevailing wage rates.
- There will be greater clarification of who pays what in the application process (employer versus the foreign employee applicant) and a resulting increase in the application/processing fee. The fee will be raised from \$100 per contracted worker to \$200 (which will be paid by the employer). The employee will pay separate in-country fees.
- Some new worker protection measures will be added, including posting of bonds by the farm labor recruiters and increase penalties for wrongful actions.
- Logging and Christmas tree operations will be fully included in the H-2A category.
- The regulations will make changes in the way in which H-2A employees can move from employer as an improvement over current methods.
- The timelines for how long H-2A applicants can remain in the United States and how long they must subsequently stay in their home countries once they return to their home country will be changed and improved.

These are the major highlights or changes proposed by the federal government. Nevertheless, the 200-page document contains other changes that will require further review. CFBF will review the proposals thoroughly and submit written comments to the agencies.

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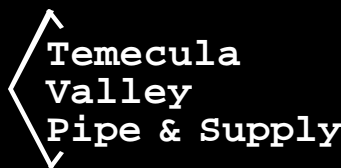
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If your life has been enriched by a cherished friend or loved one, the greatest tribute of all is a gift that celebrates their life. Such a gift may honor the support your loved one gave to your family, the community, citrus heritage, the State Park or it may add to the personal satisfaction of your own charitable gifts. Often called a “living” memorial gift, these donations will support the replanting of a citrus tree at California Citrus State Historic Park. This donation does not entitle ownership rights and all fruit will be harvested with the proceeds returned to the park for future improvements.

At \$50 per tree, we invite individuals, corporations, businesses and foundations to support this worthwhile project, ensuring citrus fruit for generations. You will receive an “Adopt - a - Tree” Certificate.

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The UC Davis Western Institute for Food Safety and Security is please to announce that our course **AWR152 Principles of Preparedness for Agroterrorism and Food Systems’ Disasters** will be offered in San Bernardino on Thursday March 20. These courses are certified by US Department of Homeland Security and are offered free of charge. To register for the course, please go online to the following website.
<http://wifss.ucdavis.edu/agroterrorism/classes/classesbydate.php>

Real Eminent Domain Reform Ballot Measure Qualifies for June Ballot: Threatened Home and Business Owners Cheer

Sacramento, CA - January 16, 2008 - A broad-based coalition of California property owners announced that the California Secretary of State has certified the qualification of the "California Property Owners and Farmland Protection Act" for the June 2008 ballot. In November of last year, a coalition of home and business owners, family farmers and taxpayer groups submitted over 1.1 million signatures.

"Government should not be able to profit by seizing private property from unwilling sellers for retail or commercial projects," said former Sacramento Congressman and campaign finance chair Doug Ose. "Finally, Californians will have the opportunity to vote for real reforms that protect their homes, small businesses, family farms and places of worship from eminent domain abuse."

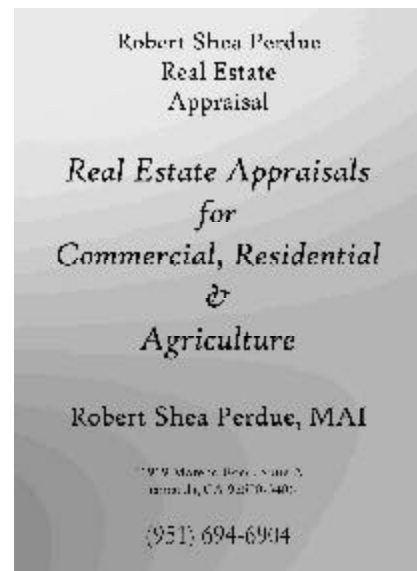
While over 40 states have reformed their eminent domain laws since the 2005 U.S. Kelo v. New London decision, California is not among them. While reforms have not come in time to protect some, local property owners in the Southern California community of Baldwin Park and the Northern California community of Seaside cheer the news that voters will have the chance to consider real reforms on the June 2008 ballot.

According to local residents, the City of Baldwin Park is expediting eminent domain proceedings to demolish over 500 homes and small businesses in an area of approximately 125 football fields. A letter from the developer to the city states that their investors are concerned this ballot measure threatens their project and urges the city to seize the properties before Election Day. The thousands of dollars in campaign contributions used to influence the outcome of the last city election has also prompted standing room only protests at city hall.

"The City of Baldwin Park is using eminent domain to seize my home for a development project that benefits a politically connected developer," said homeowner Ms. Cruz Baca Sembello. "They should not be able to take my home. Where are my rights?"

In the Northern California community of Seaside, property owner Tim Cunha is among hundreds of property owners fighting the city council and the developer, former baseball legend Reggie Jackson. "I never thought that something like this could happen to me," said Tim Cunha. "Government should not be able to profit by seizing private property from unwilling sellers. It shows what little regard government has for the personal and financial costs associated with throwing us out on the streets."

The California Property Owners and Farmland Protection Act, is sponsored by the Howard Jarvis Taxpayers Association, the California Farm Bureau Federation and the California Alliance to Protect Private Property Rights. The measure prohibits private to private takings, while allowing traditional uses of eminent domain for roads, schools and water projects. It is endorsed by NFIB, the Hispanic Chambers of Commerce, the Black Chamber of Commerce and a diverse coalition of taxpayer, faith and good government organizations. To qualify for the June ballot, 694,354 valid signatures were required. For more campaign information, visit www.yesonpropertyrights.com.



Essie Bootsma Elected Treasurer of California Milk Advisory Board

Essie Bootsma has been elected to serve as treasurer of the Executive Committee of the California Milk Advisory Board (CMAB), the promotional arm of the state's dairy farmers. Bootsma previously served as member-at-large on the committee.



A dairy producer since 1979, Bootsma milks 2,000 Holsteins with her family at John Bootsma Dairy in Lakeview. She is a member of a variety of community groups, including the Western Riverside Ag Coalition and the Eastern Municipal Water District Advisory Committee.

California is the nation's leading milk producer and also produces more butter, ice cream, yogurt and nonfat dry milk than any other state. The state is the second-largest producer of cheese, which is available nationally under the Real California Cheese seal.

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The California Milk Advisory Board (CMAB), an instrumentality of the California Department of Food and Agriculture, is funded by the state's 2,000 dairy families. With headquarters in South San Francisco and Modesto, the CMAB is one of the largest commodity boards in the United States. The CMAB executes advertising, public relations, research and retail and foodservice promotional programs on behalf of California dairy products, including Real California Milk and Real California Cheese.


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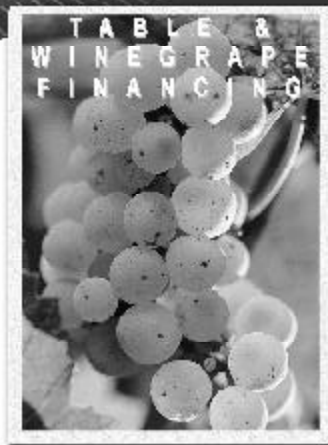
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Take precautions to avoid injuries from slips and falls

By Mike Klimentko, Farm Bureau Group Manager

During the late winter and early spring, there generally is a lot of moisture all around—on the ground, the pavement, equipment and so on. Excess moisture can create hazardous, slippery conditions that can lead to serious injuries from slips and falls.

Injuries from falls happen much too frequently in the workplace, and the agricultural sector is no exception. In fact, falls are the most common accidents in agriculture. But many of these accidents can be prevented by utilizing some common-sense safety practices and staying alert.

It is easy to look right past hazards on the farm or ranch, particularly if you are in a hurry, are over-tired or deep in thought. There's no better time than the present to take a fresh look around the farm for potential hazards.

One area of potential hazard is the farm shop, and this is an area where people congregate and spend a lot of time during the wet winter months. To help prevent falls, be sure to keep the workshop and other working areas clean and free of slipping and tripping hazards. Keep all stairs, floors and other working surfaces as free as possible of mud, manure, vegetation, and other slippery materials. Provide a sturdy handrail where needed and be sure that every stairway has a handrail. Provide plenty of light so you can see what you are doing and where you are going.

Farm machinery is another potential hazard—whether the equipment is moving or stationary. Runovers after falls from tractors and trailing equipment happen much too frequently and can result in major injury or death. Many times the victim is riding the equipment as a passenger “just getting a quick lift back to the shop or the next field.” That should be absolutely forbidden—no exception.

Here are some rules to follow around machinery:


- Wear shoes and boots with slip-resistant soles and heels.
- Keep platforms, footplates and steps clear of mud, snow, manure and other debris.
- Before moving, check the tractor and trailing equipment to see that no one has climbed aboard without your knowledge.
- Remove tools or other items that may cause a tripping hazard.
- Insist that no one ride on farm equipment except those required for its operation.
- Never allow anyone to ride on the drawbar or towed equipment.
- Watch for obstacles and reduce speed on rough, uneven or hilly terrain.
- Wait for the tractor to stop before getting off. Set the brakes and step down using handholds or rails. No one should jump off a moving tractor.
- Whenever possible, equip tractors with a Rollover Protective Structure (ROPS) cab and seat belts. They are more comfortable, give overhead protection, and help prevent falls from tractors.

With proper planning and a proactive approach to safety, most falls can be prevented. Slow down, look around and stay alert—and instruct everyone else on the farm or ranch to do the same.

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- March 12 – RCFB Board meeting at Carrows Restaurant, 6 pm
- March 29 – RCFB/SBCFB joint FarmPac Event. Call for details.

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