

The Bi-Monthly

# HARVEST

June 2023 Edition

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This is Ag! Podcast  
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## Save the Date for Napa in 2024!

UnitedAg's 44th Annual Meeting & Conference

April 10 - 11, 2024

The Meritage Resort & Spa | Napa, CA



Home to UnitedAg's 44th Annual Conference, the **Meritage Resort & Spa** is nestled among the sprawling vineyards and rolling golden hills of Napa. A memorable escape at the gateway to wine country awaits. Expansive and luxurious, with two distinct stays, members will experience endless ways to relax, celebrate, and explore.

Get ready to experience the Tuscan-inspired atmosphere at the gateway to Napa Valley. Enjoy premier views of the surrounding hills and vineyards while having access to everything Napa has to offer in one comfortable location. Stay near the action, with close proximity to on-site restaurants, a spa, Crush Lounge for bowling, and a resort pool. There's no better place to stay for a fun and inclusive experience in Napa Valley. Learn more about The Meritage [here](#).

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# Introducing the 2023 First-Year WomenAg Leadership Academy



## First Year Academy Members

**Blanca Alvarez**  
Christopher Ranch

**Ana Carreno**  
True Organic Products, Inc.

**April Groll**  
RAEN Winery

**Tina Barlocker**  
Bay and Basin Ins. Svcs.

**Griselda Jauregui**  
Henderson Farms, Inc.

**Samantha Taylor**  
Hope Family Wines

**Mary Niksarian**  
Niksarian Insurance Svcs.

**Angelina Lopez**  
Coast General Ins. Brokers

**Sonia Roldan**  
UnitedAg

**Sujej Lopez**  
Facilities Mgmt. Group

**Sonya Schreiber**  
Kleen Globe, Inc.

**Jayne Rodriguez-Hernandez**  
UnitedAg

We'd like to extend a warm welcome to our 2023 WomenAg First-Year Academy members who have embarked on a journey to cultivate their inner strength, empathy, and authenticity in order to become impactful leaders. We applaud their commitment to personal and professional growth and look forward to seeing their transformative journeys unfold.

The WomenAg Academy is more than just a leadership program, it is a community of agricultural leaders that empower one another regardless of where you are in your career or how much experience you have. Since 2016, over 60 WomenAg leaders have graduated from the program.

Registration will open this Fall. Visit our [website](https://www.unitedag.org) for details. For questions, contact Bridget Sanchez at [bsanchez@unitedag.org](mailto:bsanchez@unitedag.org).

## Celebrating AEF Scholarship Achievements

We are proud to recognize this year's exceptional students who have been awarded AEF Educational scholarships across our member regions in California and Arizona. UnitedAg board members, students, and their families came together to celebrate these remarkable achievements.

It is a testament to their hard work and dedication, and we are privileged to honor their accomplishments.

The application process for the 2023-24 Educational & Vocational Scholarship Programs will open this fall. Visit [unitedag.org/aeef](https://www.unitedag.org/aeef) to learn more about AEF. For questions, contact Jessica Lopez at [jlopez@unitedag.org](mailto:jlopez@unitedag.org).



## Retooling Your Heat Illness Prevention Program



For the past decade, heat illness has been the most cited CalOSHA violation in the agricultural industry. While the industry has made some meaningful improvements during this time, it continues to be an area where agriculture falls short. This point was further demonstrated earlier this year when the California Department of Industrial Relations' Occupational Safety and Health Appeals Board issued a decision regarding the provision of water at outdoor worksites, affirming that it must be as close as practicable to where employees are working to encourage frequent consumption.

This decision stemmed from a complaint-initiated safety inspection at a vineyard in Napa Valley in August 2018. Water was made available for the crews; however, CalOSHA inspectors found that farmworkers had to cross through grape trellises to access water. According to the inspectors, this did not meet the standard for being as close as practical. CalOSHA determined that crossing through the trellises was an obstacle to the water and discouraged the crews from drinking water.

CalOSHA maintained that the employer had other reasonable options available, such as providing a jug of water in each row where the employees were working or providing individual water bottles that employees could carry with them and refill from the jugs. In this case, the employer was fined a penalty of \$27,000. This case provides all agricultural employers a vital reminder to regularly review their Heat Illness Prevention Plan to ensure that it is effective, meets all of the regulatory requirements, and protects your workforce.

In farming, there is no one size fits all solution, so adjustments to your plans must be made to fit the area you are working in.

The team responsible for implementing the heat illness prevention plan should investigate the worksite and identify potential barriers and obstacles to accessing water and shade to address those issues. Water and shade should transition as your crews move throughout the day. Your goal is to create a culture in which all of your employees prioritize their health by taking their water and rest breaks to prevent heat illness. Providing regular training on your heat illness prevention plan and making water and shade easily accessible goes a long way toward demonstrating your commitment to your employees.

If you need assistance with your developing and implementing a comprehensive heat illness prevention plan, please get in touch with AgSafe at 209.526.4400 or send an email to [safeinfo@agsafe.org](mailto:safeinfo@agsafe.org). AgSafe is a 501c3 nonprofit providing health and safety education to the agricultural community. Since 1991, AgSafe has educated over 100,000 employers, supervisors, and workers about these critical issues.

### Upcoming Safety Training Seminars

*Through our partnership with AgSafe, UnitedAg members receive a discounted rate on registration.*

**Webinar: Hiring, Firing & Discipline**  
July 10 & 11 | Virtual Training

**In-Person: Pesticide Handler  
Train-the-Trainer**  
July 25 & 26 | Imperial, CA

**In-Person: Forklift Train-the-Trainer**  
October 10 | Salinas, CA

*Registration will be available at a later date*

# The End of the COVID National and Public Health Emergency

By Jayson Welter, *General Counsel, UnitedAg*

While the COVID National Emergency and Public Health Emergency were planned to expire on the same date, May 11, 2023, Congress and President Biden passed a law to end the National Emergency early on April 10, 2023. The Public Health Emergency ended on May 11, 2023 as planned.

## **The National Emergency affects ERISA, HIPAA and COBRA Time Frames.**

These time frames will return to normal after the emergencies and the corresponding outbreak periods end, which is June 9, 2023. For anyone currently protected from being disenrolled from COBRA due to nonpayment, the traditional 30 day grace period will now run and anyone who has not paid COBRA contributions will be terminated retroactively back to the last month of paid coverage. If a participant has not paid COBRA premiums and receives a termination notice, he or she may also receive bills from his or her providers for services that have been pending during the outbreak period.

## **Other time frames that return to normal on June 9, 2023 include:**

- The 60-day deadline for qualified beneficiaries to elect COBRA continuation coverage.
- The 45-day (for the initial payment) and 30-day (for subsequent payments) deadlines for qualified beneficiaries to pay COBRA premiums.
- The 60-day deadline for individuals to notify the plan of a COBRA-qualifying event or a new Social Security disability determination.
- The deadline for plan sponsors and administrators to provide a COBRA election or disability extension notice (typically 30 days for the employer to provide notice to the plan

administrator and 14 days for the plan administrator to provide the election notice to the qualified beneficiary).

- The 30-day deadline to request enrollment in a health plan upon experiencing a loss of eligibility for group health coverage or individual health insurance coverage, or acquiring a new spouse or dependent by marriage, birth, adoption, or placement for adoption.
- Claim and Appeals Deadlines including: (see you Summary Plan Document for more information)
  - The deadline to file a benefit claim under an ERISA plan's claims procedures.
  - The deadline to file an appeal of the plan's adverse benefit determination.
  - The deadline to request an external review.
  - The deadline to submit additional information related to the external review request.

## **The Public Health Emergency affects coverage of COVID services:**

The Public Health Emergency coincided with laws requiring testing and vaccination of COVID and ended on May 11, 2023. However, California passed its own law related to testing and vaccination of COVID. While the Federal requirements are ending consistent with Federal guidance, those of us in CA will continue to follow California law which requires all health plans and insurance include testing and vaccination related to COVID with no cost sharing and no prior authorization. This California requirement does not expire; however, continued services can be required to be in network.

*Continued on page 6*

**SB 1159 created a presumption of work exposure of COVID.**

The Presumption of work exposure expires on January 1, 2024. Therefore, health plans can require a participant file a workers compensation claim or require documentation to rebut the presumption before covering any COVID related services. This will continue until December 31, 2023. Remember, this rule uses a specific definition of outbreak: Employees whose employers have five or more employees, and who test positive for COVID-19 during an outbreak at their specific workplace.

An outbreak exists if within 14 days one of the following occurs at a specific place of employment: (1) four employees test positive if the employer has 100 employees or fewer; (2) four percent (4%) of the number of employees who reported to the specific place of employment test positive if the employer has more than 100 employees; or (3) a specific place of employment is ordered to close by a local public health department, the State Department of Public Health, the Division of Occupational Safety and Health, or a school superintendent due to a risk of infection of COVID-19.

For questions about this topic or other advocacy issues, contact Jayson Welter at [jwelter@unitedag.org](mailto:jwelter@unitedag.org).

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**Membership Renewal Packets  
Coming Soon to Your Mailbox**



**Thank you for renewing your UnitedAg membership for 2023-24!** Your membership strengthens your role and voice in the ag community and helps protect your business and organization’s future. Through exceptional employee benefits, educational programs, advocacy initiatives, and valuable networking opportunities, we are committed to maximizing your success. We’re glad you’re here!

As part of your membership with us, your comprehensive membership packet is arriving soon to your mailbox. Inside, you'll find a new membership certificate, a copy of the Healthy U Newsletter, the latest Annual Benchmark Report, and details about exciting new benefits and programs offered exclusively by UnitedAg.

**Don't Miss these  
Upcoming Events**

**OPS Forum: Flu Shot Campaigns**

July 13 at 10 am | Webinar

[Registration link](#)



**HealthChats: Immunization**

August 17 at 10 am | Webinar

[Registration link](#)



**[Visit our website](#) for more information and to register.**



# Staff Anniversaries

(April - June 2023)

Georgina Castaneda	25
Cassandra Rosales	24
Elizabeth Vasquez	24
Shobhana Soni	20
Richard Tran	16
Yen Tran	16
Maribel Ochoa	15
Catalina Wallace	15
Josie Pompeo	14
Chana Hauben	9
Sonia Roldan	9
Daniel Flores	8
Michael Chhith	7
Jasmine Gonzalez	6
Priscilla Gutierrez	6
Christina Morley	6
Judith Camacho	4
Bridget Sanchez	4
Peggy Plair	2
Jayne Rodriguez-Hernandez	2
Nicholas Fung	1
Mariana Gonzalez	1
Jan Macalinao	1
Brittany Ortiz	1
Niko Perry	1

# Welcome to the UnitedAg Family!

Ag Box Company	KNA Wines
Alderson Ranch Supply, Inc	Knights Grapevine Nursery
All American Drilling, Inc.	Anderson Valley Brewing
Alpenglow Beer Company, LLC	National Custom Packing, Inc.
Ardzrooni Vineyard Management	North Coast Brewing Co. Inc.
Argo thrive, Inc.	Ozotech, Inc.
Berryessa Brewing Co.	Peacock Nuts, LLC
Berryvale, Inc.	Prost LLC
Billy Wycoff Construction	Quintopia, LLC
The Mill Yard	Rancho Cielo Youth Campus
Caldwell Enterprise, Inc.	Redwood Parks Conservancy
Central Cold Storage Corp.	Rooted Asset Management
Cobblestone Fruit	Sambrailo Packaging, Inc.
Crocker & Starr Wine Company	Schmidbauer Building Supply
Delhi Irrigation Supply, Inc.	Sender's Market Ace Hardware, LLC
Duarte Nursery, Inc.	Sender's Market, Inc.
Fitz Fresh, Inc.	Sender's Truss, LLC
Food Market Management, Inc.	Stewart & Jasper Farming Co.
Gualala Supermarket	Stewart & Jasper Marketing
Hughes Hardwoods	Stewart & Jasper Orchards
Humboldt County Resource Conservation District	Stewart & Jasper Processing
Jasper Specialty Foods	The VPS Companies, Inc.
Jessee Machine Works	Topa Topa Brewing Co.
JW Bamford, Inc.	Tre'son Ag, Inc.
	Tuff Boy Equipment, LLC

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Nikssarian Insurance Services](#)

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Trilogy Personnel & Land Mgmt. Inc.](#)

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Agrofruits International Inc.](#)

[Episode 14: Richard Plato,  
Christopher Ranch](#)

[Episode 16: Rodney Braga  
Braga Fresh Family Farms](#)

[Episode 13: Dr. Rosemary Ku,  
UnitedAg](#)

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