

COVID-19 UPDATE



USDA SUPPORTS SPECIALTY CROP PRODUCERS WITH DIRECT PAYMENTS FOR LOSSES DUE TO COVID-19

The United States Department of Agriculture (USDA) announced today that it will provide up to \$2.1 billion in direct payment to specialty crop producers as part of the Coronavirus Farm Assistance Program (CFAP). The payments will be based on losses where prices and market supply chains have been impacted as result of Covid-19. Specialty Crop producers that fall into one of the categories outlined below may be eligible to receive a direct payment:

- Sales with a price loss of 5% or more between January 15th and April 15th of this year.
- Producers with the following commodities are eligible: Almonds, artichokes, beans, broccoli, cabbage, carrots, cauliflower, sweet corn, cucumbers, eggplant, lemons, iceberg and Romaine lettuce, dry onions, peaches, pears, pecans, bell and other types of peppers, rhubarb, spinach, squash, strawberries, and tomatoes.
- Shipments that left the farm by April 15th and spoiled due to no market or for which no payment was received.
- Shipments that have not left the farm or mature crops that remained unharvested by April 15th.

Starting on May 26th, producers of all the eligible commodities may apply for assistance through their local USDA Farm Service Agency center. Interested applicants can locate their service center and find the application at www.farmers.gov/cfap.

CA OLIVE COMMITTEE MONITORING UPCOMING PENDING STATE OF CALIFORNIA LEGISLATION

Through daily updates with the Governor's office, the COC has been made aware of several pieces of potential upcoming legislation regarding workers' compensation, labor, and energy/environment. These bills are currently circulating through the State Legislature, and the COC is closely monitoring their approval process. These bills were introduced in response to the ongoing COVID-19 pandemic and may have lasting impacts on many industries, including agriculture. The COC will continue to provide updates as these bills progress, but if you have any specific questions in the meantime, please do not hesitate to contact our office.

US DEPARTMENT OF TRANSPORTATION MODERNIZES HOURS OF SERVICE RULES TO IMPROVE SAFETY AND INCREASE FLEXIBILITY FOR AMERICA'S TRUCKERS

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) today published a final rule updating hours of service (HOS) rules to increase safety on America's roadways by updating existing regulations for commercial motor vehicle (CMV) drivers.

First adopted in 1937, FMCSA's hours of service rules specify the permitted operating hours of commercial drivers. In 2018, FMCSA authored an Advanced Notice of Proposed Rulemaking (ANPRM) to receive public comment on portions of the HOS rules to alleviate unnecessary burdens placed on drivers while maintaining safety on our nation's highways and roads. Subsequently, in August 2019, the Agency published a detailed proposed rule which received an additional 2,800 public comments.

Based on the detailed public comments and input from the American people, FMCSA's final rule on hours of service offers four key revisions to the existing HOS rules:

- The Agency will increase safety and flexibility for the 30-minute break rule by requiring a break after 8 hours of consecutive driving and allowing the break to be satisfied by a driver using on-duty, not driving status, rather than off-duty status.
- The Agency will modify the sleeper-berth exception to allow drivers to split their required 10 hours off duty into two periods: an 8/2 split, or a 7/3 split—with neither period counting against the driver's 14-hour driving window.
- The Agency will modify the adverse driving conditions exception by extending by two hours the maximum window during which driving is permitted.
- The Agency will change the short-haul exception available to certain commercial drivers by lengthening the drivers' maximum on-duty period from 12 to 14 hours and extending the distance limit within which the driver may operate from 100 air miles to 150 air miles.

FMCSA's final rule is crafted to improve safety on the nation's roadways. The rule changes do not increase driving time and will continue to prevent CMV operators from driving for more than eight consecutive hours without at least a 30-minute break.

In addition, FMCSA's rule modernizing hours of service regulations is estimated to provide nearly \$274 million in annualized cost savings for the U.S. economy and American consumers. The trucking industry is a key component of the national economy, employing more than seven million people and moving 70 percent of the nation's domestic freight. The new hours of service rule will have an implementation date of 120 days after publication in the Federal Register.

The complete final rule is available here: <https://www.fmcsa.dot.gov/regulations/hours-service/hours-service-drivers-final-rule>

Truckers have played a key role in getting America through the COVID-19 public health emergency. FMCSA has provided regulatory relief to commercial drivers to get critically important medical supplies, food, and household goods to Americans in need. The nation's truck drivers have been on the front lines of this effort and are vital to America's supply chain. The latest information, declarations, and resources on FMCSA's response to the COVID-19 are available at <https://www.fmcsa.dot.gov/COVID-19>

UPDATE FROM USDA REGARDING EFFORTS TO ADDRESS FOOD AND AGRICULTURE SECTOR PPE CHALLENGES

Obtaining personal protective equipment, face coverings, cleaning and sanitation supplies for essential workers and businesses has been an ongoing challenge across multiple segments of the food and agriculture sector.

We'd like to take this opportunity to remind you of the FEMA Fact Sheet (at the following link) [Coronavirus \(COVID-19\) Pandemic: Addressing PPE Needs in Non-Healthcare Setting](#), which summarizes how organizations should consider and manage their personal protective equipment (PPE) needs while ensuring the protection of workers during the coronavirus (COVID-19) pandemic response. We have communicated with the National Emergency Management Association, and they have affirmed the process laid out in this document for critical infrastructure PPE and cloth face covering needs as described below:

For PPE and Cloth Face Covering needs: if suppliers are unable to provide for your needs, and the PPE is urgently required, submit a request for assistance to your state emergency management agency. If the state is unable to address needs, the state should submit a request for support to their FEMA Regional Response Coordination Center.

SINGLE-USE SURGICAL MASKS AVAILABLE THROUGH COUNTY AGRICULTURAL COMMISSIONER'S OFFICES

County Agricultural Commissioner offices across the state have received single-use surgical masks from the California Department of Food and Agriculture as result of the Personal Protective Equipment (PPE) survey that was conducted earlier this month. As an effect of Covid-19, agricultural operations have seen a shortage of PPE materials and these single-use masks will provide a means to help fill the void the industry has seen while ensuring employees are safe.

To be placed on the distribution list for the masks, please contact your local county agricultural commissioner's office. For a listing of state offices, [click here](#).

ADDITIONAL COVID-19 RESOURCES

On the following pages, please view information related to COVID-19 that can be shared with your industry contacts:

- Updated Cal OSHA Guidance Document: COVID-19 Daily Checklist for Agricultural Employers
- Updated Cal OSHA Guidance Document: COVID-19 General Checklist for Agricultural Employers
- Updated Cal OSHA Guidance Document: COVID-19 Infection Prevention for Agricultural Employers and Employees