

Covid-19 Resources for Wild Blueberry Growers and Processors

Lily Calderwood and Eric Venturini

April 21, 2020



*Wild Blueberry
Commission OF MAINE*

Agenda: This Webinar is Being Recorded

- Quick University Update: Dr. Lily Calderwood
- Nancy McBrady, State of Maine DACF
- Jorge Acero, Maine Department of Labor (Migrant Labor Programs)
- Steven McKinney, US Department of Labor (Labor Laws and Covid-19)
- Cameron O'Brien, Senator Collins Office (CARES, PPP Update)
- Dave Lavway, Farm Service Agency
- Open Q and A

Resources are Constantly Changing Daily

Lily Calderwood: University Extension and Research

Non-essential Research on hold until May 17, 2020.

We are still providing:

On-farm visits

Phone calls, Online, Website

Coffee Hour every Friday from 8:00-9:00

Lily: 207-812-2915 or lily.calderwood@maine.edu

Pesticide Credits:

2 webinars being created (available mid-late May)

BPC is providing very limited exams for new applicators: pesticides@maine.gov

BPC does have online course options for credits if you need them ASAP



DACF COVID-19 Response

April 21, 2020

Nancy McBrady, Director, Bureau of Agriculture, Food and Rural Resources

DACF working to provide relevant guidance and assistance

- Core inspections – dairy, meat processing, eggs, potatoes
- Essential Service guidance – beekeepers; travel, etc.
- DACF website
<http://www.maine.gov/dacf/covid19/index.shtml>
 - Sanitation & Physical distancing recommendations
 - Funding resources
 - Labor updates



Federal Funding – details remain to be seen.

- Details emerging around \$19B in agriculture support by USDA.
 - Livestock, dairy, row crops, specialty crops.
 - Current crop loss impacts.
 - Commodity purchases for emergency food assistance
- Congress may replenish PPP by \$450B
- DACF would like to see additional agricultural funding for small farmers and local food economies. Block grants?



Assisting Current/New Markets

- Direct to Consumer Sales
 - Heightened consumer attention on local food producers; behavior change (lasting?).
 - Real Maine website launch soon
 - Technical assistance for online sales, etc.
- Agricultural Development Grants – second round or technical grants in 2020?
- Enhancing Retail/Producer linkage



Ag Labor Concerns

- In contact with USDA, Homeland Security, etc. to stay on top of developments.
- Transportation/logistics = bottleneck
- DOL recommendations for worker housing, transportation, health care.
- Suggestions for additional DACF assistance?



Thank you.

Nancy McBrady

Director, Bureau of Agriculture, Food & Rural
Resources

Nancy.mcbrady@maine.gov

(207) 287-3491



Jorge Acero, Maine Department of Labor

1. Covid-19 Background

Jorge Acero, Maine Department of Labor

Housing

- Housing for farmworkers should allow for 6 feet between beds.
- Housing and work sites must have hand washing supplies (soap and hot water). It is also helpful to provide hand sanitizer with a minimum of 60% alcohol.
- Employers should designate an individual responsible for a plan to obtain supplies (such as bleach) and conduct frequent sanitization of worker housing at no cost to the farmworkers.
- Housing areas should have CDC best health practices in the languages of the farmworkers posted (attached).
- Workers over 60 or with underlying health conditions should be provided a separate living space as they are more vulnerable to the impacts of the virus (which could lead to hospitalization or death).

Transportation

- Transportation to the work site or community should allow for space and ventilation in the vehicle, taking into account CDC recommendations for physical distancing (6 feet) so that workers are not sitting immediately next to one another.
- Employers should designate an individual responsible for a plan to obtain supplies and conduct frequent sanitization of vehicles.

Worksite Distancing

- Work should be conducted in a manner that accounts for CDC-recommended physical distancing (6 feet).
- There must be bathroom and sanitizing stations at the worksite to ensure opportunities for proper hygiene.
- Employers should designate an individual responsible for a plan to obtain supplies and conduct daily sanitization of bathrooms and facilities.

If Workers Become Sick

- Employers must notify farmworkers of their right to paid sick leave as guaranteed by the Families First Coronavirus Response Act so that farmworkers can disclose their symptoms and seek appropriate care instead of continuing to work. Immediately identifying illness will be the best chance at preventing spread to the entire workforce.
- Farmworkers need to know their medical treatment and expenses related to COVID-19 will be fully covered during the time they are working and residing in Maine and regardless of their immigration status. This should include assurances that any worker who is tested for COVID-19 will have those costs covered even if the result is negative.

- Employers should designate an individual to whom workers can disclose symptoms in their own language. This individual must be responsible for coordinating access to medical care including providing transportation to health facilities or to COVID-19 testing centers.
- As soon as workers arrive, ask them if they have a fever, cough or shortness of breath.
- If a farmworker has symptoms, they should immediately be isolated from other workers and a medical professional should be called for guidance before transporting the farmworker to any medical facility (the Maine Mobile Health Program is available to provide support).

If Workers Become Sick

- Workers who have been diagnosed with COVID-19 need to be in separate living quarters. Workers who have had direct contact with those who are diagnosed will need to be in quarantine and should be self-monitoring for symptoms. They need to be in separate housing from those who are diagnosed and those who are healthy.
- There must be a separate housing area and separate cooking and bathing facilities for quarantined workers, including a designated individual responsible for coordinating these provisions. A health professional will provide guidance about when workers are ready to leave quarantine.
- Workers who contract COVID-19 or who must be in quarantine must receive food, water and essential supplies at no charge and ensured access to medical care.
- If, at any point, it is necessary to transport a worker with symptoms, the worker should sit at a distance in the vehicle from the driver, wear a mask (if available) and windows should be rolled down to increase ventilation.

If Workers Become Sick

- If a worker experiences severe symptoms, such as struggling to breathe, signs of confusion or inability to walk along, this constitutes an emergency and 9-1-1 should be called.
- No sick worker should be forcibly removed from housing or have their contract terminated prior to the end of their contract period, quarantine period or restrictive movement period.

Harvest begins in July.

Start ordering masks, gloves, and sanitizer now.

Steven McKinney, US Department of Labor

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

► PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at $\frac{2}{3}$ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▶ **ELIGIBLE EMPLOYEES**

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

▶ **QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19**

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:

1-866-487-9243

TTY: 1-877-889-5627

dol.gov/agencies/whd



WH1422 REV 03/20

Steven McKinney, US Department of Labor

Labor Resources Available

<https://www.dol.gov/agencies/whd/ffcra>

More Questions? Please Call: 1-866-487-9243

Cameron O'Brien, Senator Collins Office

April 14 Letter from Sen. Collins and other Senators to USDA Sec. Perdue

“Specialty crops have already faced challenges due to trade disputes with foreign countries, and lost markets abroad have resulted in a substantial decrease in revenues, as products that normally would have been exported are now flooding the domestic market.

We respectfully request that USDA provide direct payments to eligible producers who have lost revenue and are experiencing increased production costs related to COVID-19... To immediately reduce the inventory of product and stabilize prices, we also ask that USDA purchase fresh and processed specialty crops for redistribution to food banks, schools, and emergency feeding organizations.”

April 20 Letter from Senator Collins and Congresswoman Pingree to USDA Sec. Perdue:

“The Coronavirus Food Assistance Program (CFAP) must provide expeditious assistance directly to growers, in addition to ensuring that local producers and their supply chains are able to help keep Americans fed during this trying time.”

The shutdown of the food service network – including restaurants, schools, and hospitality businesses – has caused enormous economic harm to Maine's small- and medium-sized farms, especially for dairy farmers and for growers of specialty crops such as potatoes, blueberries, and apples....We urge the Department to provide targeted farmer payments, which are essential for Maine’s specialty crop growers who have suffered acutely from recent international trade disputes and received almost zero direct benefit from the Administration’s multiple disbursements of agricultural aid.”

USDA's Coronavirus Food Assistance Program

Congress provided \$19 billion in agricultural assistance funding in the Coronavirus Aid, Relief, and Economic Security Act (CARES) and the Families First Coronavirus Response Act. The program includes two major elements:

- **Direct Support to Farmers.** USDA will provide \$16 billion (\$9.5 B from the CARES Act and \$6.5 B from the Commodity Credit Corporation's remaining balance) in direct support based on actual losses for agricultural producers.
 - Measuring loss on Jan. 2020 – April 15, 2020 timeframe
 - Prioritizing product in storage/surplus from 2019 and early 2020 that could not be marketed
 - Capping payments to growers at \$125,000 per commodity, up to \$250,000 per grower
 - Currently working through rulemaking and expect to start accepting applications in May
- **USDA Purchase and Distribution.** USDA will partner with regional and local foodservice distributors to purchase \$3 B in fresh produce, dairy, and meat. The distributors and wholesalers will then provide these products to food banks, community and faith-based organizations, and other non-profits.
 - Includes an estimated \$100M per month in fruits and vegetables, \$100M per month in a variety of dairy products, and \$100M per month in meat products

USDA Coronavirus Relief Resources

In addition to the CFAP, USDA will utilize other available funding sources to purchase and distribute food to those in need.

- USDA has up to an additional \$873.3 million available in Section 32 funding to purchase a variety of agricultural products for distribution to food banks. The use of these funds will be determined by industry requests, USDA agricultural market analysis, and food bank needs.
- The FFCRA and CARES Act provided \$600 million for food purchases. The use of these funds will be determined by food bank need and product availability.

Tomorrow, April 22 – Congresswoman Pingree

CARES Act, PPP, and Package 4 Impact on Maine Farms

Wednesday, April 22, 2020

12:00 pm – 1:00 pm

Participate by Zoom, a video conference software so you can join the session from your personal computer or by phone.

Congresswoman Pingree will discuss the funding requests from the Congresswoman's office for the CARES act, and she can respond to concerns about the application for paycheck protection program. She will offer an update on the state of Stimulus package 4, and the agricultural related requests that we are including with that. She would very much like to listen, and gather concerns from people who have them so that we know what needs to improve in the next package.

[Free online registration here.](#)



United States
Department of
Agriculture



Farm Service Agency

David R. Lavway
State Executive Director

**Farm
Service
Agency**

fsa.usda.gov

FSA in Maine



Mission

To equitably serve all farmers, ranchers, and agricultural partners through the delivery of effective, efficient agricultural programs for all Americans.

Find your local USDA Service Center at farmers.gov/service-center-locator.

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Farm Programs



Disaster Assistance

Price Support



Conservation



Disaster Assistance

- ✓ Non-insurable Crop Assistance Program (NAP)
 - ✓ Tree Assistance Program (TAP)
 - ✓ Livestock Forage Program (LFP)
- ✓ Emergency Livestock Assistance Program (ELAP)
 - ✓ Livestock Indemnity Program (LIP)

Price Support

- ✓ Marketing Assistance Loans (MAL) and Loan Deficiency Payments (LDP)
 - ✓ Dairy Margin Coverage (DMC)
 - ✓ Farm Storage Facility Loans (FSFL)

Conservation

- ✓ Conservation Reserve Program (CRP)
 - Continuous
 - General
 - Grasslands
- ✓ Emergency Conservation Program (ECP)
- ✓ Emergency Forest Restoration Program (EFRP)

Farm Loan Programs

- Direct Loans
- Microloans
- Guaranteed Loans



“are available to promote, build and sustain family farms in support of a thriving agricultural economy.”

Farm Loan Programs

Added Loan Making Flexibilities due to COVID-19

FSA is relaxing the loan-making process. This includes:

- Extending the deadline for applicants to complete farm loan applications;
- Making exceptions when FSA is unable to obtain lien searches, filings, and recordings because of closed government buildings;
- Extending the repayment period of annual operating loans;
- Use of video conferencing to facilitate loan closings;
- Allowing lenders to extend credit prior to applying for a guarantee.

Farm Loan Programs

- Disaster Set-Aside Program
- Primary Loan Servicing Programs (PLS)



Farm Loan

Added Loan Servicing Flexibilities due to COVID-19

FSA is relaxing the loan-servicing process. This includes:

- Extending deadlines for producers to respond to servicing actions;
- Temporarily suspending loan accelerations and foreclosures;
- Allowing guarantee lenders to consider deferrals when borrowers do not have a feasible plan.

Farm Service Agency

David R. Lavway
State Executive Director

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Question and Answer Session