

California Association of Nurseries and Garden Centers

LEGISLATIVE SNAPSHOT

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UPCOMING EVENTS

February 19

Tom's Tour • East Bay Area

Stops Include:

Four Winds Growers

Alden Lane Nursery

Navlet's Garden Center

Orchard Nursery & Florist

All Members Invited to Register

(800) 748-6214

March 20

CANGC Board Meeting

All Members Invited

Sacramento, CA

June 17-19

CANGC Legislative Conference and Annual Meeting

Agenda Being Confirmed

Call now for information on
reservations at Embassy Suites
Sacramento, CA

FIRST HAND WEEDING MEETING HELD •

On February 6, 2003 the first meeting of an advisory committee to give input to the Cal OSHA Standards Board met in Sacramento. The input was sought in response to a petition filed by the United Farm Workers, California Rural Legal Assistance (CRLA), and the California Labor Federation, AFL-CIO that would outlaw the use of hand weeding.

As we have previously reported, legislation was introduced last year by Assemblymember Paul Koretz and sponsored by the petitioners to close what they call a loophole in the law, which prohibits the use of the short handled hoe. According to labor representatives, some growers routinely require workers to weed by hand instead of furnishing long-handled implements, or by some assertions, as a means of punishment or control. The legislation was pulled from consideration when consensus could not be reached among opposing parties.

The first meeting was dedicated to the petitioners presenting their case. The presentation consisted of multiple photos showing farm laborers weeding various crops by hand or with short, hand-held tools, and then, showing the same crops being weeded with a long-handled hoe or a modified tool presumably to exhibit that stooping and bending was unnecessary. Their presentation also included testimony by farm workers and, CRLA field representatives attesting to working conditions and circumstances where workers were made to weed by hand when long-handled tools would have worked. A short period was allowed for grower representatives to ask questions about the presentation and to further ask for clarification of statements and of the photos shown.

The only portion of the nursery industry depicted was of field grown flowers and a sod farm. There was no mention of the many other segments of nursery production or how the new law would apply. The only partial exemption to the regulation currently proposed is for strawberries grown under plastic mulch.

The next meeting will be in March when grower representatives will respond to the presentation made by the petitioners and make their case as to why the ability to hand weed is necessary.

The evidence presented by the labor representatives seemed to show more that the short-handled hoe law was being violated that would indicate a lack of enforcement problem exists rather than a loophole in the law.

AGRIBUSINESS COUNCIL MEETS WITH GOVERNOR •

CANGC Director of Governmental Affairs Bob Falconer was part of a coalition of agriculture representatives that met with Governor Gray Davis to discuss issues of high priority. The two most relevant to the nursery industry were workers' compensation and pest exclusion.

Most discussions at the state capitol these days eventually get to budget matters. It was pointed out that in some cases, especially with pest exclusion, funding cuts may look like a good fix, but in the long run, end up costing the state more money not only now, but indefinitely. An example of this is the red imported fire ant (RIFA). Last year over \$2 million was trimmed from the program but if cutbacks result in RIFA spreading over a wide area, the resulting control program could reach nearly \$1 billion annually.

On the topic of workers' compensation, several stories of massive increases were relayed to Governor Davis. The point was made with the Governor that many are proposing new fees to balance the state budget and that the prospect of more fees in addition to the increase in workers' compensation rates could be more than businesses can bear and have a decisive negative impact on the state's economy. It was conveyed that serious reform needs to take place in the workers' compensation arena and it needs to happen soon.

The meeting ended with the governor committing to monthly meetings with the coalition to further discuss important issues.

TELL US YOUR WORKERS' COMPENSATION STORY •

In an effort to represent the negative effects of the skyrocketing workers' compensation rate increases, we are collecting data on what our members are experiencing.

We are asking that you send us your 2001, 2002, and 2003 workers' compensation rates. If you have multiple classes of workers, please indicate each class and the rate for each. We hope to use this information to push for reform of the workers' compensation system and to stop other increases in fees.

Please email your information to Bob Falconer at rfalconer@cangc.org or fax it to the CANGC office at (916) 567-0505.

DO YOU HAVE EMAIL? If you received this as a fax and would rather have it sent as email, send your name, company and email address to bsmith@cangc.org.