

Executive Orders and State and Federal Guidance Relating to COVID-19

<p>The following is a list of executive orders by Governor Newsom that are of interest to the agricultural industry and agricultural employers. This is not a complete list of all executive orders relating to COVID-19. For a comprehensive listing of all executive orders, please go to: https://www.gov.ca.gov/newsroom/.</p>		
<p>5/8/2020</p> <p>Vote-by-mail ballots</p>	<p>Requires that each county’s elections officials send vote-by-mail ballots for the November 3, 2020 General Election to all registered voters. Californians who may need access to in-person voting opportunities will still be able to access in-person voting opportunities.</p>	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/05/08/governor-newsom-issues-executive-order-to-protect-public-health-by-mailing-every-registered-voter-a-ballot-ahead-of-the-november-general-election/</p> <p>ORDER: https://www.gov.ca.gov/wp-content/uploads/2020/05/05.08.2020-EO-N-64-20-signed.pdf</p>
<p>5/7/2020</p> <p>Updated Industry Guidance for staged reopening</p>	<p>Gov. Newsom announced the following:</p> <ol style="list-style-type: none"> 1. Updated industry guidance to begin reopening with modifications <ul style="list-style-type: none"> • COVID-19 Industry Guidance: Agriculture and Livestock 2. “Resilience Roadmap” outlining a 4-stage gradual reopening process 3. Regional variance allowing for counties to move further into Stage 2 when they attest to meeting certain criteria 	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/05/07/governor-newsom-releases-updated-industry-guidance/</p>
<p>5/6/2020</p> <p>Property Tax Penalty Waiver</p>	<ol style="list-style-type: none"> 1. Waives penalties for residential and small business property taxes paid after April 10 for taxpayers who demonstrate they have experienced financial hardship due to the COVID-19 pandemic through May 6, 2021; 2. Extend the deadline for certain businesses to file Business Personal Property Statements from May 7, 2020 to May 31, 2020, to avoid penalties. 	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/05/06/governor-newsom-announces-workers-compensation-benefits-for-workers-who-contract-covid-19-during-stay-at-home-order/</p> <p>ORDER: https://www.gov.ca.gov/wp-content/uploads/2020/05/5.6.20-EO-N-61-20-text.pdf</p>

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<p>5/6/2020</p> <p>Workers' Compensation</p>	<p>Creates a time-limited rebuttable presumption for accessing workers' compensation benefits applicable to Californians who must work outside of their homes during the stay at home order.</p> <ul style="list-style-type: none"> • More information can be found here: https://www.cacitrusmutual.com/executive-order-expands-workers-compensation-coverage-for-covid-19-illnesses/ 	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/05/06/governor-newsom-announces-workers-compensation-benefits-for-workers-who-contract-covid-19-during-stay-at-home-order/</p> <p>ORDER: https://www.gov.ca.gov/wp-content/uploads/2020/05/5.6.20-EO-N-62-20-text.pdf</p>
<p>4/29/2020</p>	<p>Gov. Newsom announced the following initiatives to combat food insecurity:</p> <ul style="list-style-type: none"> • \$3.64 million in new funding to expand the state's Farm to Family program, including \$2.86 million from the USDA and \$775,000 committed by philanthropy to jumpstart a \$15 million campaign to further support the program through the end of the year. • CA is the recipient of a "Pandemic EBT Program" via the CARES Act to provide up to an additional \$365 per month for families who would have otherwise received free or reduced cost breakfast and lunch at school • CalFresh (food stamp program) debit card holders can now shop online at Amazon and Walmart. Additional retail stores will be announced as they become available. 	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/04/29/governor-newsom-announces-expansion-of-farm-to-family-program-and-new-initiatives-to-combat-food-insecurity/</p>
<p>4/16/2020</p> <p>Paid Sick Leave Benefits for Food Sector Workers</p>	<p>Requires food sector employers with 500 or more employees to provide two weeks of "COVID-19 Supplemental Paid Sick Leave" to workers if they are subject to a quarantine or isolation order or medical directive.</p>	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/04/16/governor-newsom-announces-paid-sick-leave-benefits-for-food-sector-workers-impacted-by-covid-19-additional-protections-for-consumers/</p> <p>ORDER: https://www.gov.ca.gov/wp-content/uploads/2020/04/4.16.20-EO-N-51-20.pdf</p>

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<p>4/4/2020</p> <p>Childcare for Essential Workers</p>	<p>Facilitate child care for children of essential critical infrastructure workers by allowing the California Department of Education and California Department of Social Services the flexibility to waive certain programmatic and administrative requirements in response to the COVID-19 pandemic.</p>	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/04/04/governor-newsom-signs-executive-order-to-provide-expanded-access-to-child-care-for-essential-workers-during-covid-19-response/</p> <p>ORDER: https://www.gov.ca.gov/wp-content/uploads/2020/04/4.4.20-EO-N-45-20.pdf</p>
<p>3/19/2020</p> <p>Shelter in place</p>	<p>Orders all residents to shelter at their residence except as needed to maintain continuity of critical infrastructure sectors.</p> <p>The Order uses the federal guidance on critical infrastructure sectors to define essential businesses and services. Information on critical infrastructure sectors can be found here: https://www.cisa.gov/critical-infrastructure-sectors</p>	<p>ORDER: https://covid19.ca.gov/img/N-33-20.pdf</p>
<p>3/18/2020</p> <p>Safety net eligibility</p> <p>Bagley-Keene (government meetings)</p>	<ol style="list-style-type: none"> 1. Waives eligibility re-determinations for 90 days for Californians who participate in: <ul style="list-style-type: none"> • Medi-Cal health coverage • CalFresh food assistance • CalWORKS • Cash Assistance for Immigrants; and • In-Home Supportive Services 2. The executive order also waives certain provisions of the Bagley-Keene Act. 	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/03/18/governor-newsom-issues-executive-order-to-protect-ongoing-safety-net-services-for-most-vulnerable-californians-during-covid-19-outbreak/</p>
<p>3/17/2020</p> <p>Trucking</p> <p>Employee Layoffs</p>	<ol style="list-style-type: none"> 1. Temporarily waives various rules for truckers pertaining to required California permits and hour restrictions. Drivers under state law normally cannot drive more than 12 hours a day. The changes are geared toward helping more truckers supply health care facilities and retailers with essential medical supplies; sanitation gear; food to restock grocery stores; and various other items related to the COVID-19 emergency response. The change comes in conjunction with the Federal Motor Carrier Safety Administration’s emergency waiver to ensure the free flow of critical supplies and equipment. 	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/03/17/governor-newsom-signs-executive-order-to-allow-timely-delivery-of-vital-goods-during-covid-19-outbreak/</p>

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	<p>2. Suspends state requirements that employers provide 60 days' notice before initiating a mass layoff of employees. Employers must still provide state and federal notices, but do not have to meet the 60-day requirement. Absent the change, employers would have faced fines and been liable for back pay.</p>	
<p>3/12/2020</p> <p>Unemployment benefits</p> <p>Tax filing deadline</p>	<p>1. Unemployment Benefits: Waives the one-week waiting period for people who are unemployed and/or disabled as a result of COVID-19;</p> <p>2. Delays the deadline for state tax filing by 60 days for individuals and businesses unable to file on time based on compliance with public health requirements related to COVID-19 filings.</p>	<p>PRESS RELEASE: https://www.gov.ca.gov/2020/03/12/governor-newsom-issues-new-executive-order-further-enhancing-state-and-local-governments-ability-to-respond-to-covid-19-pandemic/</p>

California Department of Food and Agriculture Guidance on COVID-19 and the Food Supply (March 19, 2020)

https://www.cdfa.ca.gov/coronavirus/CDFA_COVID-19_and_the_Food_Supply_3-19-20.pdf

“As defined by the federal government, the food supply makes up critical infrastructure from farm to table and includes assets, systems, networks, and functions that provide vital services to the nation. It is essential that federal government-defined critical infrastructure and supply chains are protected, and that all elements pertaining to the food supply remain operational, including a workforce that is vital to production of the food supply. More information is provided in the National Infrastructure Protection Plan to help further clarify these critical infrastructure systems.”

U.S. Department of Homeland Security Guidance on the Essential Critical Infrastructure Workforce During COVID-19 Response (April 17, 2020)

<https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

“As State and local communities consider COVID-19-related restrictions, CISA is offering this list to assist prioritizing activities related to continuity of operations and incident response, including the appropriate movement of critical infrastructure workers within and between jurisdictions.”

FOOD AND AGRICULTURE

(https://www.cisa.gov/sites/default/files/publications/Version_3.0_CISA_Guidance_on_Essential_Critical_Infrastructure_Workers_4.pdf; Page 8)

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- Farmers, farm and ranch workers, and agribusiness support services to include those employed in auction and sales; grain and oilseed handling, storage, processing, and distribution; animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; and truck delivery and transport.
- Farmers, farm and ranch workers, and support service and supplier workers producing food supply domestically and for export, to include those engaged in raising, cultivating, harvesting, packing, storing, or delivering to storage or to market or to a carrier for transportation to market any agricultural or horticultural commodity for human consumption; agricultural inspection; fuel ethanol facilities; biodiesel and renewable diesel facilities; storage facilities; and other agricultural inputs.
- Workers and firms supporting the distribution of food, feed, and beverage and ingredients used in these products, including warehouse workers, vendor-managed inventory controllers, and blockchain managers.
- Workers supporting the sanitation and pest control of all food manufacturing processes and operations from wholesale to retail.
- Workers supporting the growth and distribution of plants and associated products for home gardens.
- Workers in cafeterias used to feed workers, particularly worker populations sheltered against COVID-19.
- Workers in animal diagnostic and food testing laboratories.
- Government, private, and non-governmental organizations' workers essential for food assistance programs (including school lunch programs) and government payments.
- Workers of companies engaged in the production, storage, transport, and distribution of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including seeds, pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids.
- Animal agriculture workers to include those employed in veterinary health (including those involved in supporting emergency veterinary or livestock services); raising, caring for and management of animals for food; animal production operations; livestock markets; slaughter and packing plants, manufacturers, renderers, and associated regulatory and government workforce.
- Transportation supporting animal agricultural industries, including movement of animal medical and reproductive supplies and materials, animal vaccines, animal drugs, feed ingredients, feed and bedding, live animals, animal by-products, and deceased animals for disposal.
- Workers who support sawmills and the manufacture and distribution of fiber and forest products, including, but not limited to timber, paper, and other wood and fiber products, as well as manufacture and distribution of products using agricultural commodities.
- Workers engaged in the manufacture and maintenance of equipment and other infrastructure necessary for agricultural production and distribution.