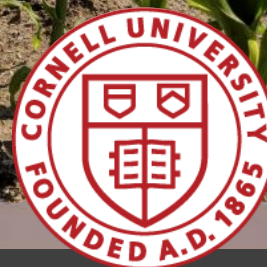


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Vegetable News



Cucurbit Downy Mildew Update

Charles Bornt, CCE Eastern NY Commercial Horticulture

If any of you listened to last week's podcast about Cucurbit Downy Mildew (CDM), you may recall that we seemed to be in pretty good shape as the closest reports were coming from Maryland – well that all changed as of last week on Friday! I received an email from our New Jersey colleagues reporting that CDM was found on cucumbers in Salem County in NJ. Then, first thing Monday morning, I received an email from one of our vegetable pathologists that CDM has also been found in Michigan on cucumbers! So, here we are, CDM to the south and the north-west of us, so if you have not applied any protective fungicides to your cucurbits, especially cucumbers, now is the time!

If there is any good news, according to the CDM forecasting system, even with these new reports, the forecasts look good for the pathogen not spreading into NY....as of Wednesday. There are some active weather patterns in our southeast that they are keeping an eye on which may change the forecast for the weekend. I cannot encourage you enough to set up an account on the CDM forecasting website so that you can look for yourself at the forecasts but also set it up so that you can receive text alerts when the pathogen is reported in your desired radius.

In the meantime, I would scout hard and look for yellow spots on the upper sides of the leaves, especially on new growth and a grey/purple fuzz on the underside of the leaf where those yellow spots are located. Early morning under dewy conditions is the best time to find the fuzz on the undersides. For symptoms on other cucurbits go to <http://cdm.ipmpipe.org/node/22>. I would recommend maintaining a protective coverage of cucurbits (chlorothalonil), especially on cucumbers – all stages of cucumbers as CDM will attach newly planted as well as those that are done being harvested. Which brings me to another point – when you are done with a planting, either continue to spray it, kill it with a contact burndown herbicide (gramoxone or glyphosate) or till it under so we don't create a breeding ground.

Remember that fungicides like Presidio and Previcur Flex have not been very effective the last couple of years, so I would not recommend them. The best material is Orondis with the active ingredient *oxathiapiprolin* and is the first in a new chemical group (FRAC code 49, previously U15). It is highly effective for diseases caused by oomycetes such as downy mildews, late blight and phytophthora blight.

There are a few things to know. First, there are three formulations of Orondis on the market: Orondis Gold,

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Orondis Opti and Orondis Ultra. Orondis Gold is labeled for soil applications and if it was used at planting, no foliar applications of Orondis are allowed! If you did not use Orondis Gold, the other two formulations are labeled for foliar applications but again there are some differences. First, Orondis Opti also contains chlorothalonil so if you use this one you will not have to add extra protectant.

However, for cucurbits it only has CDM on the label. Orondis Ultra also contains mandipropamid the active ingredient in Revus and has CDM and Phytophthora blight on the label! It would also need to have a protectant such as chlorothalonil or copper mixed in with it. Additionally, for resistance management, no more than 2 consecutive applications of any Orondis fungicide are allowed; next application must be a fungicide that does not contain a code 49 active ingredient and also a code 40 when Orondis Ultra is used. When at least 3 applications will be made, Orondis fungicides can be no more than 33% of the applications, or a maximum of 4 applications per planting, whichever is fewer.

Orondis Ultra or Opti are the first go to products, but if you suspect CDM and you don't have or can't get a hold of an Orondis product, my first choice would probably be Curzate or Tanos (as they have some kickback activity) but are short lived so it needs to be mixed with a protectant such as chlorothalonil and another translaminar fungicide such as Ranman, Zampro etc. However, there is also

evidence that says these materials are less effective when temperatures are in the upper 80's which seems to be the pattern we are in. In that case, Ranman or Zampro would be the better options until you can get some Orondis ordered. Please remember to rotate your fungicides!

Organic options for DM: There are a number of organic materials labeled for Downy mildew, but for the most part many of them have not shown very good efficacy in most trials. If applied before the disease is started copper remains one of the better choices. Other options include Double Nickel 55 Biofungicide, Regalia Biofungicide, Actinovate AG and OxiDate 2.0.



Advanced cucurbit downy mildew symptoms on cucumbers.
Photo: Ethan Grundberg, CCE ENYCHP

Identifying and Managing Bacterial Diseases of Tomato

Teresa Rusinek, CCE Eastern NY Commercial Horticulture

In the past two weeks I've seen two types of bacterial diseases show up in tomato fields; canker and pith necrosis. Both are difficult to manage. It's really important to identify bacterial diseases early so you can contain the outbreak and minimize losses. These diseases can be misidentified as fungal diseases like septoria or early blight, and of course applications of fungicides will not be effective against bacteria.

Bacterial speck, spot and canker have been increasing in occurrence and severity in the northeastern United States. Bacterial canker is presently the most serious disease in production systems. Those who've had these diseases in their fields in the past three years are at greater risk this year as the bacteria persist in soils for several years as well as on stakes and in transplant production areas. Following are some tips on identification and management of these bacterial diseases.

Bacterial Speck (*Pseudomonas*)

- ✓ dark blisters on fruit
- ✓ development favored by cool moist conditions
- ✓ dark lesions on leaves with discrete yellow halo

Bacterial Spot (*Xanthomonas*)

- ✓ dark, scabby lesions on fruit
- ✓ can start on or spread to peppers
- ✓ favored by warm weather
- ✓ often misdiagnosed as speck



Bacterial Speck on tomato fruit and leaves.
Photo: Teresa Rusinek, CCE ENYCHP

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Bacterial Canker (*Clavibacter*)

- ✓ dark lesions on leaves starting at the edge
- ✓ light blisters on fruit (bird's eye blister)
- ✓ cankering of branches.
- ✓ systemic infections can kill plants



Bacterial Canker. Arrows indicate marginal necrosis on leaves and bird's eye spots on the fruit. Photo: Teresa Rusinek, CCE ENYCHP

Controlling Bacterial, Speck, Spot and Canker:

Tanos, when tank-mixed with full rate of copper fungicide, has some suppressive activity on Speck, Spot and Canker, but I think using copper plus mancozeb or ManKocide (a premix of mancozeb + copper hydroxide) is just as effective. The reason for mixing the two together is the addition of the mancozeb increases the effectiveness of the copper by releasing more of the copper ions. Gavel is also labeled due to the mancozeb component of the material but must also be mixed with high rate of fixed copper. In an

organic system the grower is limited to OMRI approved copper compounds such as Champ or Cueva.

Trials conducted by Cornell plant pathologists Christine Smart and Margaret McGrath found Actigard to provide excellent control of bacterial speck without a reduction in yield. They used 0.75 oz. /A applied at 100 gpa on a 7-day schedule. It takes at least three days for Actigard to induce plant defenses, so it is necessary to begin applications before symptoms appear on the plant. Actigard is not approved for organic production. LifeGard is a product with similar mode of action as Actigard. Both are plant activators that induce plant resistance. LifeGard, however, IS labeled for use in organic production. 2019 is the second season that LifeGard is labeled for use in New York for control of bacterial speck and spot as well as some tomato fungal diseases such as early blight, late blight and gray mold.

Pith Necrosis

Pith Necrosis is another bacterial disease of tomatoes that we have been seeing more of. It is caused by any of several soil borne species of *Pseudomonas* or *Pectobacterium carotovorum* that enter the plant through a wound or natural opening. Often, just a few plants are affected in a field or high tunnel, but I have also seen an entire high tunnel planting wiped out from pith necrosis in a matter of 2-3 weeks. Symptoms include: wilting at the top of the plant, yellowing leaves, stem splitting, stem rooting, dry brown stem canker, a hollowing or stepladder look of the pith, and watery decay of tissue especially when *Pectobacteria* are involved. Fruits may develop water soaked-greasy lesions on the blossom end. Some of these symptoms may be confused with that of bacterial canker, samples can be sent to the Cornell diagnostic lab for confirmation.

Conditions that favor the development of this disease are cool night temperatures, cloudy days, high humidity (often an issue in high tunnels), excessive fertility and irrigation, and rapid growth. Pith necrosis disease progression is slowed during warm and sunny periods and plants may recover from the disease once fertility conditions are corrected.



Pith hollowing—step ladder look. Photo: Teresa Rusinek, CCE ENYCHP

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Bacteria survive in infected plant debris and soil, seed and transplants. The pathogens spread on workers hands, pruning tools, and by splashing rain or irrigation.

Copper sprays are not effective in controlling pith necrosis and there are no resistant varieties available. Avoid planting in fields where there were cull piles and use properly managed compost free of plant pathogens. Delaying planting in springs that are cool and wet may help avoid the disease from developing. Avoid excessive nitrogen rates, especially in the spring when vegetative growth is rapid. Don't front-load all your Nitrogen at planting! Ventilation in high tunnels and greenhouses, even when its cold outside, is so important in disease management as well as good sanitation practices.

More resources on Pith Necrosis:

<http://u.osu.edu/vegetablediseasfacts/files/2014/05/pithNecrosisFactSheet02-1wygptg.pdf>

<https://www.extension.umn.edu/garden/fruit-vegetable/plant-diseases/pith-necrosis-tomato/index.html>



This entire high tunnel planting was lost to pith necrosis. Tomatoes developed water-soaked lesions on the blossom end. Photo: Teresa Rusinek, CCE ENYCHP

2019 Early Blight Management in Tomatoes

Charles Bornt, CCE Eastern NY Commercial Horticulture

I thought it would be worth putting the notes from last week's podcast about Early Blight (EB) management in this week's newsletter just in case some of you missed it! I know that many of you have been applying copper for bacterial diseases like canker, speck and spot, but now that tomatoes are sizing up, it's the indicator for me to start looking for early blight and if you haven't, start fungicide sprays.

The disease overwinters in the soil on infected debris. Early blight symptoms appear as small brownish/black spots on the older leaves. As the spots enlarge, they take on a "bullseye" or target board appearance. As disease continues to progress it will move to younger foliage and stems—early maturing varieties seem to be the most susceptible. My opinion is because those plants are usually the first to size fruit and put so much of their energy into fruiting, that they are just more susceptible. Following fruit set and development, plants become progressively more susceptible. Long rotations of two or more years out of susceptible crops, including potato, are necessary to reduce the amount of overwintering inoculum.

We have cases of fairly tolerant strains of EB to FRAC group 11 fungicides (things like Quadris, Cabrio etc.). Best control will occur where fungicides are used before disease becomes established. I had a talk with our vegetable pathologist Meg McGrath and she is finding that the newest material labeled, Miravis Prime is one of the best materials. It is a combination of a FRAC Code 7 & 12 with a 12-hour REI and 0 days PHI. Apply at 9.2 - 11.4 fluid ounces per acre. Apply no more than 2 sequential applications unless otherwise stated in the crop section. A non-ionic surfactant or crop oil concentrate should be

used. Inclusion of a protectant like chlorothalonil is also recommend. Do not apply within 75 ft. of bodies of water such as lakes, reservoirs, rivers, permanent streams, natural ponds, marshes, or estuaries. The good news to is that it is also labeled for many cucurbit crops for Gummy stem blight and Powdery mildew.

Miravis Prime should be rotated with Inspire Super, another pre-mix of FRAC groups 3 & 9 at 16 – 20 fluid ounces per acre plus a protectant (again no more than 2 sequential applications before switching to another material). Again, the addition of a NIS or COC may improve effectiveness, especially if using 40 gallons or more per acre of water. Inspire Super has cucurbits, brassicas, bulb vegetables and many fruit on its label too. Many of you may also have some Revus Top leftover from previous years (Group 40 & 3) which is still effective at the labeled rates of 5.5 – 7.0 fluid ounces per acre plus a protectant such as chlorothalonil. You could use this now instead of Inspire Super (each contain a group 3 fungicide so you need to use one or the other) rotating with Miravis Prime plus a protectant. Revus Top and Miravis Prime are also labeled for EB control in potatoes.

Organically, your first line of defense will be variety selection and trying some of the EB resistant or tolerant ones like Iron Lady, Mountain Magic, BrandyWise and Plum regal to name a few. Sonata and Serenade, both *Bacillus* species, tank mixed with copper used

preventatively is labeled. Double Nickel will suppress Early blight, but not control it – again, mix with copper for possible added efficacy.

Cabbage Aphids

Elisabeth Hodgdon, ENYCHP, Cornell Cooperative Extension

Cabbage aphids (*Brevicoryne brassicae*) are typically more of a problem later in the summer season, and that time is creeping up on us. Last week, we received the first report of cabbage aphids in our region. These small dusty green-gray insects nestle within the nooks and crannies of the plant tissue and cause sporadic but major losses of Brussels sprouts. Infested Brussels sprouts are unsalable due to difficulty cleaning aphids from within the leaves of the sprouts. Losses also occur in broccoli, cauliflower, cabbage, and collards.

Cabbage aphids (and other aphids too) can be difficult to manage because they reproduce quickly via cloning. Females give live birth to small clones of themselves, allowing for rapid population increases, especially during hot weather. Winged morphs leave crowded plants and move on to colonize other plants within the field. Start scouting weekly for cabbage aphids in late June or early July. To prevent losses to fall-heading crucifers, treat crops if >10% of plants are infested. Populations can be spotty initially, and removing or spot-treating individual infested plants early in the season can be effective.



Cabbage aphids on Brussels sprouts. Photo: Becky Sideman, UNH

Several materials are available for cabbage aphid management, including neonicotinoids, pyrethroids, flonicamid, spirotetramat, and others. [Research from the University of New Hampshire](https://ag.umass.edu/sites/ag.umass.edu/files/pdf-doc-ppt/brassica_2.pdf) found that an effective management program for organic production involves weekly sprays alternating M-Pede and Azera, resulting in 80% marketable Brussels sprouts. At the end of the season, till under crop residues, burying aphid eggs.

Additional Resources:

UMass Brassica Scouting Sheet: https://ag.umass.edu/sites/ag.umass.edu/files/pdf-doc-ppt/brassica_2.pdf

UNH Research Report: Managing Cabbage Aphids in Brussels Sprouts 2016: https://extension.unh.edu/resources/files/Resource006332_Rep9072.pdf

Diagnosing and Managing Verticillium Wilt in Eggplant

Ethan Grundberg, ENYCHP, Cornell Cooperative Extension

Eggplant growers around the region may be beginning to notice Verticillium wilt symptoms in their fields. Since Verticillium wilt infects the plant's vascular system and restricts the movement of water and nutrients, the associated leaf scorching and plant wilt symptoms are usually more pronounced during warm weather and in dry soils. Even though there is nothing that can be done to cure currently infested crops, it is important to scout and record where Verticillium is present on the farm to inform a long-term management strategy.

There are two common soil-borne fungal pathogens, *Verticillium albo-atrum* and *Verticillium dahlia*, that cause Verticillium wilt in over 200 different plant species. Once the pathogens are established in a field, they can survive for up to 15 years as microsclerotia in the soil and can continue to reproduce on a wide range of host weed

species that includes velvet leaf, horse nettle, pigweed, and lambs-quarters. The Verticillium species can be spread from field to field on equipment carrying soil, so care must be taken to work fields with known infestations last and sanitizing equipment afterward.

On eggplant, the first noticeable symptom of Verticillium wilt is a discoloration on the edges of lower leaves accompanied by slight wilting. As the infection progresses and the vascular system clogging becomes more severe, the discoloration can progress into more severe leaf scorching. These leaf symptoms are often only observed on one half of the leaf or plant, with one side visibly wilted and necrotic and the other side seemingly healthy. Cutting the main stem of the plant just above the soil line will reveal a darkened center (the clogged vascular tissue). Though affected plants may be able to

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survive, the loss in foliage often leads to secondary issues like sun scald on the fruit.

Management options for *Verticillium* wilt are limited, but there are some strategies that can be combined to maintain production in infested fields.

- Rotate infested fields into broccoli, corn, wheat, and/or barley for at least two years. These plants are not hosts and can reduce the level of inoculum while yielding a cash crop.
- Plant high isothiocyanate (ITC) concentration biofumigant mustards, such as the variety Caliente, incorporate the residue, and pack the soil. High ITC biofumigants can suppress *Verticillium* species, even as microsclerotia
- If you don't have the equipment or time for growing a biofumigant crop, Isagro USA sells a product called Dominus that is 96% ITC and can be used in a similar manner to a biofumigant crop (see label for details). Research at Cal Poly in 2014 in strawberries showed that Dominus improved plant survival and yield as well as conventional soil fumigants Pic-Clor 60 and Tri-Con 50/50 in *Verticillium* infested fields (see <http://cesantabarbara.ucanr.edu/files/225196.pdf> for more information).
- When rotating back into a cash crop that is susceptible to *Verticillium* wilt, promoting robust root growth early in the season by increasing fertilization levels and, depending upon the crop and soil type, using root stimulant products containing kinetin and/or Indole-3-butyric acid (IBA) rooting hormone can help plants produce a crop, even if infested.



Left: Typical marginal leaf scorching and discoloration from *Verticillium* wilt. Right: Severe *Verticillium* wilt causing almost complete collapse of eggplant.
Photos: Ethan Grundberg, CCE ENYCHP

Corn Trap Counts

Location	CEW	ECB-Z	ECB-E	FAW	WBC
Albany	0	0	0	0	0
Columbia	3	0	2	0	1
Ulster 2	0	0	0	0	0
Rensselaer	0	1	0	0	0
Washington	0	0	0	4	0
Orange	0	6	3	6	2
Ulster 3	0	0	0	2	x
Dutchess	0	0	2	0	1
Ulster 4	4	0	1	x	x
Clinton 1	0	0	0	0	0
Clinton 2	0	0	0	0	0

Harvesting Garlic—Timing is Key!

Crystal Stewart, CCE Eastern NY Commercial Horticulture

Everyone knows the balancing act that is garlic harvesting—too early and the cloves are small and don't store well, too late and the head pops, making it unmarketable and more susceptible to diseases. So, as we near harvest, how should a grower decide if the garlic is ready? The best answer is to pull a few plants, cut through the head sideways (so you cut through all the cloves), and see how well developed the cloves are. You can use the leaves as a guide to decide when to do this (lowest third or half of the leaves yellowing and dying is a good mark to start with), but looking at the cloves is the best way to know if the garlic is ready. Cloves should fill the wrappers—if they seem a little loose, the garlic has a little ways to grow. Note that in this last few weeks before harvest, it is very important to keep providing adequate moisture to the garlic! The equivalent of an inch of rain per week will optimize bulb expansion. Go ahead and stop watering a week before harvest.

When testing maturation, a little of the very outer wrapper may have started to decay at this point. That is okay—it's a normal part of the maturation process. The key is to harvest before the bulbs pop, which can happen relatively quickly, especially if we have another wet year. If you don't think you will be able to get out and harvest for a period of time, it's better to harvest bulbs a little too early than a little too late.



Cutting the tops in the field: If you find that you do not have space to bring whole plants into the drying area and maintain good air circulation, cutting the tops off the garlic is a good solution. Cutting the tops has the added benefit of leaving significant amounts of moisture in the fields rather than bringing all that lush, green growth into the drying area. Tops can be cut as close to ground level as you can get if using a sickle bar mower, or you can cut them by hand at 1.5" to 6" long. Our trials have shown that there is no increase in disease incidence even when cutting the garlic down to its final length as you bring it into the drying area.

Field grading: Hopefully you have been removing sick and damaged plants each time you weeded the garlic, so there won't be many left. Harvest is one last chance to clean up your crop before you bring it into tight quarters where disease can spread like wildfire. Remove any garlic that doesn't look great and set it aside rather than bringing it in and finding it later. You might also consider selecting your seed garlic at the same time. Save out the best garlic as your own seed to maximize next year's crop. You also don't need to clean your own seed of dirt or remove roots, which will save you labor if you set it aside now.



Knowing when to harvest garlic can be tricky. Use the leaves as a first indicator, but also feel and look at the bulb. You want the bulb to be very firm in its skins, and when you cut it in half perpendicular to the scape you want to see a small gap around the scape. The garlic on the top isn't quite ready; the garlic on the bottom is. Photo: Crystal Stewart, CCE ENYCHP

To wash or not to wash? Generally, you want to clean your garlic in the most gentle way possible. Most of the time this can be done dry. You can gently rub most of the dirt off of the garlic while harvesting, then remove a little more as you transfer from the wagon to your drying area. The one exception to this rule might be if you have to harvest garlic from muddy soils. In that case, washing may be warranted, but do it right away while the dirt is still mud on the bulbs, not after it has dried on them. You want to avoid wetting and drying the garlic over and over. Regardless of method, do not bang heads to remove dirt, gently remove excess by hand. The more garlic is banged during the process, the more it will bruise and the worse it will store.

Move your garlic from the field into the drying area relatively quickly—most people harvest during the morning and have garlic in the barn, high-tunnel, or shed by mid-day. Garlic can be dried in a variety of ways, as long as a few fundamental ideas are followed. First, you want to have good airflow over the garlic to move moisture away. This means not having garlic packed too tightly into the drying area. Each layer of garlic should have good air movement, whether hanging in rafters or sitting on benches. If there are parts of the drying area that are stagnant and wet, you need to remove some top growth and throw it away, reduce density of plants in the area, or increase air movement. Next, you want to choose an area that gets hot, but not too hot. Garlic will dry well at 110 degrees, but we try not to go much above that because at 120 degrees waxy breakdown, a physiological disorder, starts to occur. This temperature can be reached in a barn, shed, or high tunnel. Make sure you have the temperature in your drying area well controlled, so that you do not overshoot that target.

Planning for Dramatic Changes for Farm Labor Management in New York

Adapted from an article by Richard Stup, Cornell Ag Workforce Development

On Wednesday, June 19, the New York State Legislature passed the Farm worker Fair Labor Practices Act (S6578/A8419). Governor Cuomo is expected to sign the bill into law. With the understanding that some things could still change, it's time for farms in New York to start thinking about how to manage in a different legal environment. The essential goals for farm human resource managers remain the same:

- Operate a profitable, growing agricultural business.
- Provide high-quality, engaging, and safe jobs that can attract farm employees and provide them a good standard of living.
- Produce excellent, safe, and nutritious food for people who live both near and far.

The challenge is to plan and manage to meet the goals above while complying with both federal and (new) state labor laws which will likely come into effect in January 2020. This article begins with discussion of 3 likely major changes: overtime, collective bargaining, and a weekly day of rest. Each of these issues is complicated and we will discuss more completely in later articles, but following is a summary of these major changes and initial management considerations.

Overtime

Under the bill, New York farm employees will be eligible for overtime once they have completed 60 hours of work in a week. Overtime pay is defined as 1.5 times the regular rate of pay so a worker at \$12/hour regularly would go to \$18/hour for hours worked beyond 60 inside a week.

Management Considerations: It will be more important than ever to control which employees are scheduled for how many hours and to be mindful of hours worked as they approach 60 in each week. This may be a good time to upgrade your scheduling and time recording systems to provide the information, alerts, and accurate records you need. Consider each production process, system, and job in your business...where can you cut out waste and improve the efficiency and effectiveness of labor? Are there parts of your production process that could be outsourced to another business, or discontinued, while you focus your labor on crops and processes with the highest return?

Some farmers have floated the idea of converting hourly employees to salaried to avoid overtime. Caution is required here. The federal Fair Labor Standards Act (FLSA) provides exemptions from overtime and minimum wage only for certain workers and these federal guidelines are generally followed by New York. These workers are mainly executive, administrative, professional and outside sales employees. The New York State Department of Labor provides an FAQ document (<https://www.labor.ny.gov/legal/counsel/pdf/overtime-frequently-asked-questions.pdf>) that defines these types of employees in more detail. Some farm employees *may* qualify for this exemption such as those who manage a department and formally supervise 2 or more other full-time equivalent employees. The employees must also be paid at least a weekly salary of \$885/week

in Upstate and \$975/week in Long Island and Westchester as of 12/31/2019.

Collective Bargaining (Unions)

Farm employees will have the right to form or join a union in order to bargain as a group with their employer about their employment. This concept is incredibly complicated and quite new to most of us in agriculture so there will be much more discussion and education in the future about the meaning and implications of this change. Farm employees are not automatically unionized by this law, a majority of farm employees at a particular business must choose to sign up with a union in order to bargain collectively. If a majority of employees at a farm business choose to join the union, then the farm would be obligated to recognize the union and enter into negotiations to establish a union contract with the farm employees. Contract negotiations are complicated and beyond the scope of this post. There are some special limitations in the new law that will govern collective bargaining. Farm employees will not be permitted to strike or otherwise slowdown work on farms. Farm employers, on the other hand, are not permitted to "lock out" or prevent farm employees from working during the course of contract negotiations.

Management Considerations: Broadly speaking, employees tend to unionize in work situations where they feel as if they have no "voice." Essentially, that's the purpose of a union, to move employees from a position of feeling like powerless individuals to a position of feeling like a powerful "collective" group of employees. Employers who wish to avoid having a union on the farm must focus on being great, progressive human resource managers. That means having policies and plans in the workplace that promote employee success, fair treatment, and employee "voice." Poor management breeds employee frustration and opens the door wide for unionization efforts.

Weekly Day of Rest

The new law will likely stipulate that farm employees must be allowed at least 24 consecutive hours of rest in each and every calendar week. This day of rest should be on the employee's day of religious observance whenever possible, but it can move to another day in the week if crop or weather conditions prevent work. Employees can voluntarily waive their day of rest and choose to work but employers would have to pay the overtime rate (1.5X) for every hour they worked on their day of rest. This new requirement is rife with potential for confusion.

Management Considerations: Farms need to adopt very robust employee scheduling and timekeeping systems that can manage day of rest requirements and provide documentation that it was consistently provided.

The Cornell Agricultural Workforce Development Program <http://agworkforce.cals.cornell.edu/> is following these changes and will provide more detail in complying with the new law as information becomes available.

Sexual Harassment Prevention: The Time to Comply Approaches



Sexual Harassment

If staff have not already received sexual harassment training, now is the time to research and fulfill the requirements of the law. Even employers of 1 employee must train them on sexual harassment.

- ◆ **When must farm employers provide their employees with training?** The new law took effect October 9, 2018 and that was the date by which employers were required to put a sexual harassment prevention policy in place. ***Employers have until October 9, 2019 to complete the required training with all current employees.*** After that, all employees should be re-trained annually and new employees should be train “as soon as possible, but certainly no later than one month from their start date. New employees should be given a copy of the sexual harassment prevention policy at the time they start work.
- ◆ **What resources are available to provide sexual harassment prevention training?** Many companies have required sexual harassment prevention training for all employees for many years already, so there are many training programs, online courses, videos and other materials available from training vendors. Generally, the existing resources are based on federal law as summarized by the U.S. Equal Employment Opportunity Commission (<https://www.eeoc.gov/eeoc/publications/fs-sex.cfm>). New York’s new law is also based on this federal definition of sexual harassment law but it contains a few new requirements for employers so using an older training or one from outside New York may not fully meet New York’s requirements. New York has released a model sexual harassment prevention policy and training support materials (<https://www.ny.gov/combating-sexual-harassment-workplace/employers>). The training materials are available in multiple formats including Microsoft Word, Adobe PDF, and PowerPoint.
 - Sexual Harassment Prevention Model Training is a 23-page script that you can share with employees and use as a script for your training. (<https://www.ny.gov/sites/ny.gov/files/atoms/files/SexualHarassmentPreventionModelTraining.pdf>)
 - Sexual Harassment Prevention Training is a presentation (PowerPoint) designed for an employer to use as visual aid while completing the training. (<https://www.ny.gov/sites/ny.gov/files/atoms/files/SexualHarassmentPreventionTraining.pdf>)
 - Sexual Harassment Prevention Training Case Studies is a set of 6 case studies for use with the presentation to help illustrate harassing situations. (<https://www.ny.gov/sites/ny.gov/files/atoms/files/SexualHarassmentPreventionTrainingCaseStudies.pdf>)
 - Training videos are also available which you can show to your employees. There are two roughly 30-minute videos, one goes over sexual harassment in general, and the other reviews the 6 case studies.
- ◆ **How should farm employers complete the training?** New York’s law outlines a set of minimum standards that sexual harassment prevention training must meet. Employers must meet or exceed the minimum standards, either by using the state’s model training or a custom training.
 1. Be interactive.
 2. Include an explanation of sexual harassment consistent with guidance issued by the Department of Labor in consultation with the Division of Human Rights.

(Continued on page 10)

(Continued from page 9)

3. Include examples of conduct that would constitute unlawful sexual harassment.
4. Include information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment.
5. Include information concerning employees' rights of redress and all available forums for adjudicating complaints.
6. Include information addressing conduct by supervisors and any additional responsibilities for such supervisors.

- ♦ **How should farm employers document that they did the training?** There's no specific guidance in the new law on documenting training. Employers should use best practices such as providing a certificate of completion to each participant, getting the participant to sign it, and then filing in the employee file. Or, keeping a log of who attended the training and getting each participant to sign the attendance log, keep this log in your permanent training file. I also recommend learning to use online storage systems so that you can scan these training logs and keep track of when employees have completed training and are due for refresher training.
- ♦ **What if my employees don't speak English?** Employees should be trained in the language they speak and understand. The state has translated all of the model policies and training materials into 6 different languages including Spanish and Haitian-Creole. You can find these translated materials by simply scrolling down each page where the English language materials are found.

By Richard Stup, Cornell University. Source: <http://agworkforce.cals.cornell.edu/2019/01/21/sexual-harassment-prevention-learn-to-do-the-training/>

ed. Maire Ullrich



Cornell Cooperative Extension North Country Regional Ag Team



Cornell Cooperative Extension | Eastern NY Commercial Horticulture Program

Preventing Sexual Harassment on Farms- Tools for Employers:

Updates and Resources for the NYS Sexual Harassment Regulations.

Dates: July 29th & July 30th

Cost: \$10 (to be paid to each office directly)

Time: 10:00AM-1:00PM

Locations: Speakers will be located across the state and connected via Zoom. Each extension office listed will have the Zoom Meeting Projected and a light lunch provided. Farmers will be able to ask real time questions and engage with other farmers. **PLEASE REGISTER BY FRIDAY JULY 26th.**

July 29th-

Clinton County Cooperative Extension Office
Schoharie County Cooperative Extension Office
Ulster County Hudson Valley Lab (Highland, NY)

July 30th-

Essex County Cooperative Extension Office
Saratoga County Cooperative Extension Office
Fulton/Montgomery Cooperative Extension Office
Columbia County Cooperative Extension Office



Registration Link:

<https://forms.gle/duASeZ35oqP1e28M9>

Recording of this will be made available on July 31st.

10:00-10:15- **MARY-KATE WHEELER** *Introduction to the New Rules: Overview, deadlines, and dates.*

10:15-11:00- **RICHARD STUP** *Resources Available from Extension: How to use reviewed case studies.*

11:00-11:30- **KELSEY O'SHEA** *Legal Concerns: Compliance, implications, and risks.*

11:30-12:00- Lunch/Break

12:00-12:30- **LIBBY EIHOLZER** *Outside Materials: Other agencies resources, risks and concerns.*

12:30-1:00- **NICOLE TOMMELL** *Closing Remarks: Summarizing action items, updates on other labor research.*

The North Country Regional Ag Team is a Cornell Cooperative Extension partnership between Cornell University and the CCE Associations in Jefferson, Lewis, St. Lawrence, Franklin, Clinton, and Essex counties.

The Eastern NY Commercial Hort Team is a Cornell Cooperative Extension partnership between Cornell University and the CCE Associations in 17 counties in Eastern NY

Cornell Cooperative Extension is an employer and educator recognized for valuing AA/EEO, Protected Veterans, and Individuals with Disabilities and provides equal program and employment opportunities.

Upcoming Events

Summer 2019, 20-minute Ag Manager Lunchtime Webinar Series

Focused Business Topics for Busy Managers

12:30pm—1:00pm on alternating Tuesdays, June through August

June 18—Making Capital Investment Decisions

July 2—Understanding Financial Statements 1 (Balance Sheets)

July 16—Understanding Financial Statements 2 (Income Statement)

July 30—Understanding Financial Statements 3 (Budgets and Analysis)

August 13—Ag Tax Topics - the Schedule F

August 27—Ag Tax Topics - Sales Tax and Property Tax Issues for Ag in NYS

To register, visit: bit.ly/AgManagerWebSeries

Post-Harvest Washing and Cooling Workshop

August 1, 2019 - Pleasant Valley Farm, Argyle, NY

Workshop will feature FSMA compliant workstations that you can use on your small vegetable and berry farms. There will also be a forced-air cooling demonstration—all things that you can easily (and affordably!) build yourself. Chris Callahan from UVM Extension Ag Engineering program will be leading the workshop. More information soon.

IPM in Tomato Production

August 19, 2019 - Davenport Farms, 3072 US Route 209, Stone Ridge, NY 12401

Dr. Margaret McGrath and ENYCHP Vegetable production Specialist Teresa Rusinek will lead a one-hour workshop for growers to discuss and learn how to integrate techniques in managing tomato diseases. The meeting is taking place in the field at Davenport Farms where a disease resistant tomato variety trial is hosted. Growers will have an opportunity to tour the trial, taste fruit, and provide feedback for plant breeders. 1 DEC recertification credit in categories 10, 1a, and 23 will be available to those who attend for the entire duration of the meeting.

Biocontrol Trial and IPM Field Meeting

August 20, 2019 - Eli Martin's Farm, 388 Brookman Corners Rd, Fort Plain, NY 13339

4-5 pm: Dr's Amara Dunn and Meg McGrath will discuss powdery mildew control using biocontrols and organic and conventional fungicides. Crystal Stewart from the ENYCHP will provide a tour of the biocontrol trial and additional squash and pumpkin mini-variety trial.

5-6pm: Walk the farm fields with Dr's Dunn and McGrath and with CVP specialist Elizabeth Buck to talk about integrated strategies to control pests, diseases, and weeds on the vegetables farm. Bring samples and questions! 2 DEC credits have been applied for in categories 1a and 23.

Willsboro Farm High Tunnel Twilight Meeting

August 27, 2019 - 5:00pm-7:00pm

Cornell Willsboro Research Farm, 48 Sayward Lane, Willsboro

Join vegetable specialists Elisabeth Hodgdon, Jud Reid, and farm manager Mike Davis for a high tunnel and field tour at Cornell's Willsboro Research Farm, where they will share research results for the following projects:

- Striped cucumber beetle management using netting and row cover
- Varietal differences in cucumber susceptibility to striped cucumber beetle
- Ground cherry and goldenberry production in field and high tunnel environments
- Overwintered high tunnel spinach nitrogen fertility

Depending on availability, a taste-testing of the different cucumber, ground cherry, and goldenberry varieties will be held. This free program is made possible through funding by the Northern NY Agricultural Development Program.

Vegetable Specialists

Chuck Bornt

Phone: 518-859-6213

Email: cdb13@cornell.edu

Ethan Grundberg

Phone: 617-455-1893

Email: eg572@cornell.edu

Elisabeth Hodgdon

Phone: 518-650-5323

Email: eh528@cornell.edu

Teresa Rusinek

Phone: 845-340-3990 x315

Email: tr28@cornell.edu

Crystal Stewart

Phone: 518-775-0018

Email: cls263@cornell.edu

Maire Ullrich

Phone: 845-344-1234

Email: mru2@cornell.edu

Business Specialist

Liz Higgins

Phone: 518-949-3722

Email: emh56@cornell.edu

ENYCHP Office

Chelsea Truehart

Phone: 518-746-2553

Email: ct478@cornell.edu

www.enych.cce.cornell.edu



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