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Drone-based aerial spraying survey—requesting 30 seconds of your time

You can find the survey at this link: https://pennstate.qualtrics.com/jfe/form/SV_00VQ4Ypel7mMTKC.

As many of you are wrapping up your spray season, cleaning up and storing your aging yet functional air-blast sprayers, I wanted to bring up a timely topic—drone-based aerial spraying, which has been gaining interest among growers in the Northeast.

Over the past few years, we've seen various demonstrations of drone-based sprayers for tree fruit orchards, and they offer several advantages, particularly in terms of precision and efficiency. Drones allow for targeted application of pesticides, fertilizers, and herbicides, reducing waste and ensuring even coverage. They are more cost-efficient than traditional methods, requiring fewer inputs like fuel and chemicals, and often need smaller labor crews. Drones also perform well in navigating difficult terrains, such as hilly or densely planted orchards, where tractors or ground-based sprayers struggle. Additionally, they work faster, treating larger areas in less time—especially useful when weather conditions change quickly. By eliminating the need for heavy equipment, drones help reduce soil compaction, promoting healthier root systems. They also limit human exposure to chemicals, improving worker safety. Moreover, many drones are equipped with sensors to gather data on plant health, pests, and nutrient deficiencies, enhancing precision agriculture practices.

However, drone-based spraying also has its challenges. The initial costs for drones, including the technology and sensors, can be high. There's a learning curve as operators need to be skilled not only in flying drones but also in using the software. Regional regulations on drone use may limit when and how they can be employed. Drones also have limitations in terms of battery life and payload capacity, meaning frequent recharges and refills are necessary. Weather conditions, particularly strong winds, can affect their performance and spray accuracy. Despite these drawbacks, I believe the benefits of drone spraying outweigh the disadvantages.

What we currently lack is experience in using drones in orchards, troubleshooting issues, and navigating regulatory hurdles. There are also open questions about the efficacy of spraying bloom and post-bloom thinners with low water volumes, optimal spray heights for coverage, and repair and maintenance concerns.

To address some of these issues, we recently submitted a grant pre-proposal for the 2025 Northeast SARE funding competition. The project, Drone-based Spraying Systems for Tree Fruit Orchards in the Northeast, was selected to move forward for a full proposal, where we'll detail the research objectives and proposed work. This research would provide solid data on the effectiveness of drone spraying, helping you determine if this technology would benefit your operation.

If you're a tree fruit producer, orchard technician, or someone who operates spraying equipment in orchards, I invite you to take a 30-second, three-question survey on drone-based aerial spraying. **You can find the survey at this link:** https://pennstate.qualtrics.com/jfe/form/SV_00VQ4Ypel7mMTKC The questions are all multiple-choice, with space to propose alternate responses if needed. It will help us with our proposal and sharpen our research objectives.



New York Farm Labor Union Update, Part 3

Bonnie Nelsen, Business Management Specialist, Lake Ontario Fruit Program

Fruit farms currently have full crews working at their operations, making this a good time to speak with farmworkers about unions and unionizing. The article below, previously published in spring 2024, describes the Dos and Don'ts of talking to farmworkers about unions. It also contains relevant facts about farm unions that you may find useful when talking with workers.

This article is provided for educational purposes only and is not a substitute for legal advice.

Implementation of card check procedures in union organizing, a practice intended to ease organizing and increase union membership, makes a proactive approach to educating workers about unions imperative. Employers must be prepared to answer questions from workers and explain the risks of unionization. But what can and can't farm employers do and say?

This article will outline steps for developing a union strategy for your farm. There is no "one-size-fits-all" union strategy. Each employer's approach reflects their values, opinions, and operational needs. These steps will help you establish a unionization strategy that's a good fit for your farm.

Step 1: Create a Great Working Relationship with Workers. The most effective way to avoid unions is to not create a need for them in the first place. Employees who have a positive relationship with employers are seldom motivated to join unions. Instead, workers join unions after trying—and failing—to resolve work-related problems directly with their employer (Orechwa, 2023).

Worker relations reportedly spurred unionization efforts for at least one New York farm. An article in The Guardian quoted a Jamaican worker who said, "We have no say. We have no rights...If we go to the morning meeting and a worker wants to complain, the boss says, 'I don't want to hear it.' We have no one beside the union to stand up for us. We have to keep our mouths closed (Greenhouse, 2023)." The same article reported that workers who complained to supervisors were sent home and thus not paid for the day.

Creating positive employee relations requires that employers, farm managers, and supervisors be open and honest with workers, listen actively and respond to worker complaints, provide equitable wages and good living conditions, and treat workers with dignity, fairness, and respect (Orechwa, 2023).

Step 2: Understand what you can say and do. Both state and federal labor laws establish rules that employers and unions must follow during union organizing (Stup, 2021). One set of rules specifies what employers can legally do and say. The acronym **F-L-O-P** outlines what employers and managers can legally say and do about unions and unionization:

The "F" stands for facts about unions, which can be shared with employees provided they are verifiable through public resources. Resources include but are not limited to ([Orechwa, 2023](#)):

- Websites of labor law firms

- Substantiated news reports

- Federal and state government websites

- University websites (<https://agworkforce.cals.cornell.edu/category/employment-law/unions-and-collective-bargaining/> and <https://migration.ucdavis.edu/rmn/>)

- The NYS Public Employment Relations Board (<https://perb.ny.gov/>)

- Federal agencies like the National Labor Relations Board, Bureau of Labor Statistics, Department of Labor, Internal Revenue Service and EEOC

- Union websites (United Farm Workers- <https://uflw.org/>)

The “L” stands for legal representation which helps you protect your employer’s rights. State and federal labor laws allow you to obtain legal counsel and communicate your rights to employees.

The “O” stands for your opinions about unions. It’s legal for farm employers and managers to state why they believe unions are unnecessary. Your opinions and views form the basis of your philosophy about unions.

The “P” stands for personal experiences with unions and examples of union involvement. Because farm organizing is new in New York state, few employers will have prior experience with unions. However, some may employ workers who were union members in prior jobs. These individuals can legally share their personal experiences with or opinions about unions.

Step 3: Understand what you cannot say and do. State and federal labor laws also establish rules about what employers and unions cannot do and say—these are called ***unfair labor practices or ULPs***. Abiding by these rules will keep you on the right side of the law and go a long way toward maintaining positive employee relations.

The acronym ***T-I-P-S-D*** outlines what employers and managers cannot legally say and do about unions and unionization (Orechwa, 2023; Stup, 2021):

The “T” stands for threats. Employers cannot threaten workers with adverse action if they unionize. For example, an employer cannot threaten to close the business if workers organize or “blackball” workers who have signed union cards.

The “I” stands for interrogation. Employers cannot interrogate employees about their union activities. For example, they cannot ask employees questions such as, “Did you sign a union card?” Or “Why are you interested in joining a union?”

The “P” stands for Promise. Employers cannot promise benefits to employees who refuse to sign union cards or avoid union activities. For example, they cannot promise a reward to employees who refuse to sign union cards or inform about pro-union coworkers.

The “S” stands for spying. Employers cannot legally conduct surveillance of employees who are engaged in union activity. For example, they cannot monitor a building where a meeting with union organizers is being held to identify employees who attend. Meetings located at on-farm worker housing should not be monitored even if the building is on farm property (this is allowed if workers have limited ability to travel to off-farm meetings).

The “D” stands for discrimination. Employers cannot legally discriminate against workers who support or assist unions (in this context, discrimination refers to unfair treatment). For example, employers cannot assign pro-union workers fewer work hours or more difficult work tasks as a sort of “punishment.”

Step 4: Teach your supervisors and managers the FLOP and TIPS-D rules. Farm managers and supervisors, including H-2A employees, are ***agents*** or legal extensions of the employer. Consequently, they must abide by the rules of FLOP and TIPS-D. Employers will be held liable for any unfair labor practices committed by their

managers and supervisors even if ULPs are committed unwittingly and without the employer's knowledge. For this reason, it's important to educate managers and supervisors about what they can and cannot do and say about unions before they communicate with farm workers. Spend time training supervisors about FLOP and TIPS_D rules and engage in role playing to test their understanding. Employers should correct a manager or supervisor who commits a ULP (even if it is unreported to the NYS Public Employment Relations Board) and let workers know that the action was neither condoned nor representative of management's intentions. This promotes a sense of honesty, transparency, and good employee relations.

A detailed list of TIPS-Ds-related activities that should be avoided (they are **ULPs**) is attached to the end of this article. You may wish to use this list when training farm managers and supervisors.

Step 5: Develop Your Farm's Philosophy on Unions. The court's decision on February 21, 2024, gave farm employers the right to share their philosophy about unions and employee unionizing with workers. Articulating your philosophy (*and writing it down*) is important—it's the basis for all union-related communication on your farm. A philosophy is a position statement describing your beliefs and opinions about unions and unionizing in clear, concise terms. It should describe how you feel about unions, your views on the need for unionized labor on your farm, and your intended response to organizing and collective bargaining. To be effective, your philosophy must be authentic—no one will take a philosophy seriously if it contrasts sharply with the employer's words and actions.

Many people assume that unions are bad for business and should always be resisted. But employers take varied approaches to unions and organizing (Bahar and Kochan, 2023). For example, some tell workers that they're willing to work with unions in good faith if employees truly want to organize. Others say nothing, choosing to remain silent before and during the organizing process. Most commonly, employers are opposed to unions and actively discourage unionization in their business (this is sometimes called **union busting**). Regardless of your position, be prepared to openly state your philosophy and explain your position.

Step 6: Communicate Your Farm's Philosophy on Unions. Communicating your philosophy to workers is extremely important! You can share your position on unions and unionizing, facts about your business and the union, and opinions about the risks of unionization in a way that supports your perspective. Let employees know the company's desire to maintain a direct connection with them without making them feel threatened. Be sure farm managers and supervisors understand your union philosophy and encourage them to discuss it with workers. Some employers don't know what to say and thus tell supervisors to stay quiet when workers ask about unions—this is a missed opportunity for educating workers!

Employers should communicate their philosophy on unions repeatedly and often. You can communicate in many ways, including posters in the workplace and labor housing (in multiple languages, as appropriate), direct mailing, handouts, email and instant messaging, digital apps, pages on farm websites, videos, podcasts, and group meetings (Orechwa, 2023). One-on-one conversations are always a good way to share your view. New-hire orientation is an excellent time to share your company's philosophy. To promote good employee relations, workers should be compensated while attending mandatory group meetings on unionization.

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FACTS ABOUT UNIONS, UNION PRACTICES, AND THE UFW

When communicating with workers about the consequences of union membership, you can legally share relevant facts provided they are verifiable through public resources. The list below is a sample of facts about union membership. *This list is offered for educational purposes only and is not a substitute for legal advice.*

The United Farm Workers (UFW) is the union that has successfully organized seven farms with six now certified in New York State (certification is pending for the seventh farm). The UFW charges 3% of a member’s gross wages in dues, deducted by the employer automatically from every paycheck (Rural Migration News, 2019).

According to Rural Migration News (2019), “the UFW... reported \$4 million in dues and agency fees in 2018. With 7,852 members and due payers (retired members do not pay dues), this suggests an average \$500 in dues and average worker earnings of \$16,667 in 2018.”

When expressed as a percentage of wages, union dues seem like a modest expense. But these deductions add up over time. For example, a farmworker earning \$17.80/hour works 56 hours per week for 14 weeks (3.5 months), the worker will pay \$418.65 in dues at a rate of 3%. A farmworker earning \$17.80/hour works 56 hours per week for 40 weeks (10 months), the worker will pay \$1196.16 if dues at a rate of 3%. These amounts are deducted automatically from farmworker’s paychecks by the employer.

Dues pay for fees and services that don’t benefit New York farmworkers directly. For example, funds from member dues are used to pay union leader’s salaries at local and national levels, for legislative lobbying, legal services, new organizing, contributions to political campaigns, advertising, administrative costs, and strike funds (where strikes are allowed) (McRobert, 2021).

The 27 states that ban union-security agreements do not require employees to join a union or pay union dues as a condition of employment. Employees in these states must decide whether to join the union

and pay dues even though they are covered by a collective bargaining agreement in a unionized workplace (NLRA, 2024).

Unions make promises to prospective members but can't guarantee anything. The terms and conditions of employment are negotiated with employers in a collective bargaining agreement.

Unions offer healthcare insurance plans and pension plans that farm employers don't. But a union's health care and pension plans are only as sound as its finances. For example, in 2021 the US Department of Labor declared that the UFW's pension was in 'critical status', meaning it is severely underfunded (Kasler, 2021). A severely underfunded pension plan may not have enough money to cover current and future payment obligations.

Unions offer healthcare insurance plans and pension plans that farm employers don't. But a union's health care and pension plans are only as sound as its finances. For example, the UFW's financial problems have prompted the California State legislature to prop up its struggling health insurance plan since 2014 (Kasler, 2021). An underfunded health care plan may not have enough money to cover current payment obligations. It also suggests that union finances may be in disarray.

Unionization increases costs for farm employers and organized agribusinesses. According to Montalvo and Duara (2022), "unions [raise costs](#) for the growers. A 2020 report by the left-leaning Economic Policy Institute found that a [40% pay raise for farmworkers would cost \\$25 per consumer household](#). And growers consistently [cite labor costs](#) as a key challenge."

Membership in farmworker unions has fallen sharply in recent decades. For example, the UFW was founded in 1962. Due to union activism, membership peaked between 30,000-40,000 members in the mid-1970s (Montalvo and Duara, 2022). Membership has fallen sharply since then, with just 6,200 members in 2021 (Influence Watch, 2024). The percentage of California's 400,000+ farmworkers belonging to the UFW is "statistically zero" (Montalvo and Duara, 2021)

Unionized farmworkers don't always have good experiences. Between 2018-2021, unionized workers at a large farm in Fresno and a poultry processing plant in Livingston, California overwhelmingly voted to decertify (fired or got rid of) the UFW (Kasler, 2021).

Strikes, work stoppages, and slowdowns are NOT permitted under the FLFLPA and are unlawful. However, farmworkers can engage in other activities aimed at improving working conditions and promoting their interests (Cannabis Workforce Initiative, 2024).

New York State **does not** ban union-security agreements. Consequently, workers must pay union dues even if they decide not to join the union. If a farm is certified, incoming farmworkers must pay union dues even if they didn't sign union cards or support the union. On unionized farms, paying dues is a condition of employment in New York State (NYCOURTS, 2024).

Union dues are not a deductible expense on federal income taxes (TurboTax, 2023).

Dues are a deductible expense on New York State income taxes for workers who itemize their return (McMahon, 2018).

There can be an extended period between when a business is certified and when a collective bargaining agreement is reached. It's not unusual for bargaining to span one or more years (provided no lasting im-

passes occur between parties, which will trigger mediation and arbitration procedures). Negotiations are especially protracted during initial contract negotiations because virtually every term and condition of employment must be negotiated. During this period, employees won't have a contract, but they will be paying dues.

Employers do not have to pay wages to employees sitting on the bargaining committee during contract negotiations, although some do so to promote positive employee relations.

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Fall Herbicide Reminders

Mike Basedow and Janet van Zoeren

As harvest season is winding down, we want to recommend that you consider a fall herbicide application (if the weather remains favorable postharvest).

Fall Pre-Emergent Herbicide Recommendations

From our multi-year ARDP-funded pre-emergent herbicide timing trials, we found fall applications of either Chateau + Prowl or Alion controlled weeds as well or better than applications made during the spring, and that any timing of a pre-emergent is better than relying only on burndown materials. It is important to point out that these pre-emergent applications were integrated into a season-long weed management program.

Previous work by Deborah Breth, Dan Donahue, and Anna Wallis also found good efficacy from fall applications with the following materials/combination of materials.

- Chateau (mostly annual broadleaves and some grasses) + Prowl (mostly annual grasses)
- Alion (annual broadleaves and grasses)
- Sandea (annual broadleaves and sedges) + Prowl (mostly annual grasses)
- Goaltender (annual broadleaves and some grasses)
- Simazine (mostly broadleaves) + Diuron (broadleaves and grasses)
- Sinbar (annual broadleaves)
- Casoron (annual broadleaves and grasses)
- Matrix (annual broadleaves and grasses)

We generally recommend making fall applications of pre-emergent herbicides when your herbicide strips are mostly clean and weather conditions are favorable. If your strips are weedy heading into the fall, you could tank mix with a burndown material. Even more effective would be to get the burndown on a week or two ahead of your pre-emergent application, but you will need to weigh the time and labor costs associated with two separate fall herbicide applications. Applications should be made prior to ground freeze-up, which may be difficult in years with an early cold snap.

Here are a few suggestions if you would like to apply pre-emergent herbicides this fall:

- **Choose materials that fit your weed species composition** – different materials work better on different weed species. Scout your orchards and see what your most problematic weeds are when deciding on which materials to apply. If you are unsure how to differentiate lookalike weed species, feel free to contact Janet van Zoeren at jev67@cornell.edu – I'd be happy to visit and/or look at pictures to help ID weeds. Once you identify your weed complex, our [herbicide lookup table](#) can help you select which materials to use.
- **Tank mix materials** to get the full spectrum of control that you need, as few products will likely control all your weed species present.
- **Adjust your rates by your soil textures** – product efficacy (and potential for phytotoxicity) is going to be impacted by your soil textures. Many products contain a range of rates by soil texture, follow this closely to maximize efficacy and to reduce the risk of negative impacts to your trees.

- **Apply to as clean of a strip as possible** – Many pre-emergent materials need to reach the soil surface, so applying them on top of a weedy strip is going to greatly reduce your control. In Peru, we went through two weeks ahead of our Alion application with paraquat to burn down the vegetation that had come up during harvest. We applied the Alion two weeks later, after the vegetation had time to burn back and expose the soil surface.
- **Pay close attention to weather requirements** – Pre-emergent herbicides are finicky materials. Most need to go on prior to soil freeze up. Treatments should receive enough water (at least 0.5”) within 7 to 10 days after application so that the herbicide can be “activated” (penetrate into the ground and dissolved into the soil solution) and protected from photo-degradation or volatilization. Check the labels closely to make sure you are applying them under (as close to) ideal conditions as possible.
- **Apply with a “conventional” fixed-boom sprayer** calibrated to accurately deliver 40 to 60 gals. of water/A using flat fan nozzles and 30 to 40 psi, unless otherwise stated.

Fall weed control has the potential to relieve time sensitive work in the spring, while providing similar levels of weed control to applications made in the spring. Like many chemical applications though, the best efficacy will be from following the label closely, paying close attention to the weather ahead of the application, and applying them to a clean herbicide strip in the fall. Rather than relying on the fewest applications possible, manage your weeds throughout the growing season with multiple tactics to keep your problematic weeds in check. Use a variety of tactics (pre-emergent materials, timely burndown applications, well-timed systemic materials) to manage your weeds season-long.

Fall Applications of Systemic Materials

Following our 2023 and 2024 ARDP trials, we have a few tentative recommendations for fall applications of the systemic materials Stinger and 2,4-D. While we are still conducting our final data analysis, we were generally very pleased with our results of fall applications of full rates of stinger post-harvest for controlling Canada Thistle in the following season. This application should be made post harvest, but prior to a hard frost, as this will likely reduce the overall absorption of the herbicide, reducing efficacy. In our trial, we found a fall application post harvest, paired with a follow up application after petal fall in the spring, gave very good season long control of the Canada thistle. Note that you can only use one full rate of Stinger per growing season, so after this fall application, we recommend making follow up applications annually shortly after petal fall.

We also trialed post harvest applications of Unison tank mixed with Stinger across the entire orchard floor to control creeping perennials like bindweed. This application gave very little control of hedge bindweed at our sites. However, this application did give very nice control of other broadleaf perennial species like clover, dandelion, and broadleaf plantain within the row middles. Similar to the Stinger application, best efficacy will be achieved if you make your applications prior to a frost while weeds are still actively growing.

Changes in pesticide registrations occur constantly and human errors are possible. Read the label before applying any pesticide. The label is the law. No endorsement of companies is made or implied.

Cornell Cooperative Extension

Lake Ontario Fruit Program

12690 Rt. 31

Albion, NY 14411

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Fruit Specialists



Craig Kahlke | 585-735-5448 | cjk37@cornell.edu
Team Leader, Fruit Quality Management

Areas of Interest: Fruit Quality and factors that affect fruit quality before, during, and after storage.

Crops: Blueberries, Raspberries / Blackberries, Strawberries, Apples, Apricots, Cherries, Nectarines, Peaches, Pears, Plums



Mario Miranda Sazo | 315-719-1318 | mrm67@cornell.edu
Cultural Practices

Crops: Blueberries, Raspberries / Blackberries, Strawberries, Apples, Apricots, Asian Pears, Cherries, Currants, Gooseberries, Nectarines, Peaches, Pears, Plums



Janet van Zoeren | 585-797-8368 | jev67@cornell.edu
Integrated Pest Management (IPM)

Areas of Interest: IPM of tree fruit and berry pests, biological control, pollinators.

Crops: Blueberries, Raspberries / Blackberries, Strawberries, Apples, Apricots, Asian Pears, Cherries, Currants, Nectarines,



Bonalyn Nelsen | 315-980-9926 | bjn2@cornell.edu
Business Management

Areas of Interest: Fruit Farm Business Management, Farm Labor & Regulations, and Evaluation of ROI of New Technologies

Crops: Blueberries, Raspberries / Blackberries, Strawberries, Apples, Apricots, Cherries, Nectarines, Peaches, Pears, Plums

For more information about our program visit us at lof.cce.cornell.edu