



COVID-19 INDUSTRY DISCUSSION FORUM MEETING NOTES

JUNE 16, 2020

ATTENDEES

INDUSTRY & PARTNERS:

David Adelsheim, Ross Allen, Evyand Andries, Fawn Barrie, Jessica Blauert, Terry Brandborg, Ellen Brittan, Janie Brooks-Hueck, Julia Burke, Kevin Chambers, Kerry Damon, Ariel Eberle, Matthew Farver, Bertony Faustin, Denise Flora, Maggi Gerhard, Jeff Giametta, Bob Hackett, Robert Hanson, Anna Hatcher, Dan Jarman, Ken Johnston, Hilda Jones, Carrie Kalscheuer Eugenia Keegan, Mike Keunz, Joel Kiff, Ed King, Jodee King, Justin King, Jean Kurtz, Nora Lancaster, Laurie Lewis, Kelly Luzania, Jesse Lyon, Cathy Martin, Morgen McLaughlin, Mike McNally, Elin Miller, Donna Morris, Bob Morus, Scott Neal, Mia Noren, Ximena Orrego, Gary Oxley, Alyssa Petroff, Leah Schlechter, Bruce Sonnen, Barb Steele, Andy Steinman, GinaLisa Tamayo, Jessica Thomas, Steve Thomson, Jason Tosch, Christie Totten, Dan Warnshuis, Carolyn Wasem, Eric Weisinger

STAFF:

Margaret Bray, Marie Chambers, Tom Danowski, Christina DeArment, Stacey Kohler, Kai McMurtry, Sally Murdoch, Bree Stock, Jess Willey

GUESTS:

Eric Hartstein (OWEB) Jonathan Sandau (ODA), Jeff Rhoades (Governor's Office), Nick Shephard (Irvine & Co CPAs)

OBJECTIVES

This meeting covered the following:

- Food Security & Farmworker Safety Initiative
- Legislative Report and other news from Salem
- Federal Update
- State and Regional Association Updates

BACKGROUND

This Oregon wine industry forum offers an opportunity for business leaders from around the state to come together periodically during the COVID-19 crisis to share what is known and to identify gaps in our understanding of key issues that deserve continued attention.

SUMMARY OF DISCUSSION

Food Security & Farmworker Safety Initiative

Eric Hartstein (OWEB) and Jonathan Sandau (ODA) discussed details behind the Food Security & Farmworker Safety Initiative

- As background reminder, OSHA issued a temporary emergency rule effective May 11 related to ag worker housing, field sanitation & transportation in response to COVID-19.
- Agency leaders are working to help businesses offset financial hardship of complying with the rule. Specific to this conversation is the funding for Oregon from the CARES Act that has been directed to producer-direct / on-farm support and assistance in the categories of housing, field sanitation and transportation.
- To help stretch funding through the late-harvest crops (e.g. wine grapes), individual business reimbursements will initially be capped at \$20k for housing and field sanitation expenses and \$1,000 for transportation expenses.



- Despite these caps, business owners are encouraged to submit all expense receipts even if they amount to more than what is permitted under the current provisional reimbursement caps. In case that there is funding remaining at the end of the season, it will be distributed proportionally.
- The \$1,000 transportation cap may be very low compared to some estimates of true need; businesses should submit all relevant expenses so that the program managers can better understand needs and reassess reimbursements.
- Eligible expenses include:
 - Housing expenses: associated with temporary modifications to existing lodging (e.g. barriers, spacing) and those required to meet occupancy requirements (e.g. expanded capacity on-farm, hotel/motel vouchers). ODA will work to try to get assistance for businesses providing short-term rentals to workers.
 - Field sanitation expenses: the purchase or rental of portable toilets & handwashing stations to meet the required ratio of 1 for every 10 workers. This includes service fees. Guidance on service expenses for purchased units is in development.
 - Transportation reimbursements will be calculated based on driving and mileage logs for additional trips needed to comply with new passenger spacing rules, using the federal mileage reimbursement rate.
- Applications will be accepted on a rolling basis, beginning last week. The application form can be found here: oregon.gov/oweb/fsfs/pastes/index.aspx
 - Applicants should be growers / producers, not labor contractors. This means that it may be necessary to ask labor contractors to provide greater line item detail on costs (e.g. equipment rentals) than is typically done.
 - It's not necessary to submit all receipts with initial application – you can submit your application without knowing the full extent of your need. Business owners are allowed to submit expense documentation at their discretion but before OWEB's Oct. 25 deadline.
- Worker quarantine assistance and resources will be managed by counties as part of the public health response.
- This program is intended to cover agriculture workers as it responds specifically to OSHA's temporary rule that applies to harvesting / in-field activities. As such it does not extend to processing/packing facilities.
 - Reference OSHA rules here: osha.oregon.gov/OSHArules/div1/437-001-0749.pdf

Legislative report and other news from Salem

Jeff Rhoades (Governor Brown's office) shared the following:

- There is a pause on progressing into the next phases of reopening statewide.
- The Governor has called for a special legislative session to begin next week. Key topics will be eviction moratoriums and police reform.

Dan Jarman (Crosswater Strategies) shared the following:

- The special legislative session, which is set to convene June 24, will not focus on state budget issues; that will be addressed at an additional special session later in the summer as additional funding gap information comes available.
- In addition to the topics mentioned by Rhoades (above), other issues that may be discussed include:
 - Gaps in PTO / sick leave laws to cover employees testing positive for COVID-19 or who have been exposed to the coronavirus. The proposal would provide an additional 80 hours of leave per employee, including for businesses with fewer than 10 employees. Businesses could apply to Business Oregon for reimbursement from a state fund; however eligibility and other details need to be determined.
 - Business liability protection related to employees testing positive for COVID-19.



- An open issue from the earlier session regarding technical corrections to Corporate Activity Tax program, including provisions on how vineyards would account for expenses.
- A group of state agencies (ODA, OHA, OSHA, Local Public Health Authorities) has recently published documents focusing on the food processing industry, so that there is guidance for dealing with COVID outbreaks at those facilities and advance preparation suggestions for keeping workers safe. See the group's [Food Processing Response Toolkit](#) and [Playbook for Joint Timely Response Protocol for COVID-19 Outbreak in Food Processing Establishments](#).
 - There will be a wine industry meeting with leaders of these agencies on Friday to explain the wine industry's unique characteristics related to farming, processing and hospitality. Send questions to Dan (dan@crosswaterstrategies.com) if there are topics/issues to raise.
 - Future clarification to come around lines of authority (who makes the decision about shutdowns / startups) and testing to ensure well-informed decisions can be made.
- Tom Danowski (OWB) raised a topic for future consideration regarding raising the current monthly limit on wine shipments to in-state consumers from Oregon wineries.
 - OLCC will be voting soon on rulemaking regarding a home delivery proposal.

Federal Update

Mia Noren (Crosswater Strategies) provided following update:

- PPP Flexibility Act was enacted June 5 and SBA has released further [revisions](#) to its interim final rule. Key provisions include:
 - Final date to apply for PPP loan is June 30, 2020 (\$150 billion remains available)
 - Extends loan maturity date from 2 to 5 years for loans received after June 5, 2020.
 - Reduces the 75% payroll ratio requirement to 60%
 - Extends rehiring deadline to Dec. 31, 2020 from June 30.
 - Extends from 8 to 24 weeks the expense forgiveness period
 - While loan forgiveness will not be extended if employers don't rehire, exemptions are made for those who cannot rehire due to COVID-19 related operating restrictions.

State and Regional Association Updates:

OWB Updates:

- Oregon Vine Perks consumer rewards program:
 - 250 consumers have been sent their passes so far. Messaging includes a reminder that the passes are good through April 30, 2021, and that information on visiting wine country (including updates on reopening) can be found on the OWB's consumer site
 - Participating wineries can find best practices for welcoming passholders on the [Oregon Vine Perks Toolkit](#).
 - Participating wineries as well as regional and tourism associations are encouraged to use graphics and language provided on the toolkit to help promote the program.
 - Oregon Vine Perks press release picked up on the national newswires, helping expand reach out of state.
- Five journalists are signed up to participate in next week's virtual cross-border media tour, hosted in partnership with Washington State Wine.
- In support of the two new AVAs (Laurelwood District and Tualatin Hills), OWB and WVWA will be issuing a joint press release. Materials, including new maps, will be updated on the Oregon Wine Resource Studio site.
- Wineries are reminded to keep their tasting room profile current on visit.oregonwine.org and to display their reopening status as OWB is sending consumers and media there. Associations are asked



to assist in spreading the word about this.

- OWB received five proposals from creative agencies in response to its RFP for the brand identity project. Expectation is to have partner identified in early July.

Other announcements:

- Mike McNally notified the group that the wine industry task force that drafted the first round of COVID-19 Tasting Room Guidelines has redrafted the guidelines based on Phase 2 updates. The primary content difference is occupancy protocols, and some guidance has been condensed and hyperlinks to other resources have been added.

The next meeting will be June 30 at 11 a.m.