

CDQAP Quality Assurance Update - August 2021

Fertilizer Costs Money: Use Manure

By Deanne Meyer, Ph.D., Livestock Waste Management Specialist, UC Davis, Department of Animal Science, UC ANR



Nitrogen applied to crops that goes unused can leach to groundwater. Crop growth is stunted without enough nitrogen. And leached nitrate can impair groundwater. None of these are the desired outcome.

Nitrogen is managed daily on dairies. First, the crude protein concentration in diets is formulated for animal needs. Diet is the primary input source for manure nitrogen output. Second, manure is sampled regularly. The amount of nitrogen applied is a function of the laboratory analyses of manure (its nutrient content) multiplied by the quantity of material that is land applied. Both solid and liquid manure are sampled regularly since their nutrient contents vary.

How much of the manure nitrogen is plant available? How much manure should be applied to meet crop needs? The answer varies depending on the type of manure applied, as well as its moisture and nutrient content.

TEST DON'T GUESS! We've heard that soundbite for decades related to milk quality. It plays true to manure nutrients as well.

Manure solids from different sources can vary greatly. The fall application rate of solids from heifer or milking animal corrals will be different. After all, heifer manure has less nitrogen on a dry basis than manure from milking cow corrals. Separated solids (washed fiber) and manure from heifer lots have lower nutrient concentrations. Manure from milk cow corrals has higher nutrient concentrations.

Managing solids that accumulate in ponds is important too. Pond solids can also vary depending on management. Regularly baled solids (up to 6 month intervals) from separation cells, basins, or pits usually yield material that is more consistent with the solids removed by a mechanical separator: high fiber. Excavated sludge from the bottom of primary ponds is more nutrient dense. It requires special attention to identify the logical place for land application. Sample this material and apply strategically. This may be applied to fields where pond water doesn't reach or where intermittent application of manure has occurred. Perhaps it's applied to land that hasn't received manure in more than a year.

Work with your crop consultant to be sure you're getting the most out of your manure.

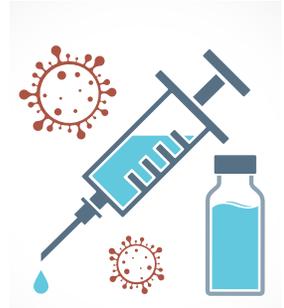


COVID-19: What to Do About Employee Vaccination?

Sure, you could require vaccination, but do you really want to?

By Dr. Michael Payne, UC Davis, School of Veterinary Medicine and Director, CDQAP

Producers certainly care about their workers' health, both for the sake of their employees and for business continuity. Recent California data revealed that persons that are not vaccinated are 29 times more likely to be hospitalized than those who are fully vaccinated, making vaccination a powerful tool in keeping businesses fully staffed and running smoothly. Laws and regulations regarding COVID however, seem to change weekly. This month's full approval of Pfizer's vaccine by the FDA and a pending California bill requiring private employees to be vaccinated or tested have further muddied the waters. The situation is very fluid, but here's what we know...



What State & Federal Law (Currently) Say

State and Federal regulations are clear and consistent: an employer can require vaccination to protect his workers and keep the workplace safe. The U.S. Equal Employment Opportunity Commission (EEOC) issued guidance stating that, in general, employers can mandate COVID-19 vaccinations for employees who physically enter the workplace without running afoul of federal anti-discrimination laws. The California Department of Fair Employment and Housing (DFEH) has issued similar guidance.

There are caveats of course. Vaccination requirements must not have a disparate impact on employees based on their race, color, religion, sex, or national origin. Most importantly, reasonable

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CDQAP's Drought Corner

Three new dairy-related drought resources were announced this month. [Don't Stress \(Too Much\) Over Drought-Stressed Corn](#) appears in the current issue of UC's Golden State's Dairy Newsletter. Dairy Cares newsletter focuses on industry efforts in [Advancing Water-Smart Dairy](#), and Sustainable Conservation released water quality guidance for [on-farm recharge](#).

What to Do About Employee Vaccination? *continued*

attempts for [accommodation](#) must be made for medical or religious reasons. Employees have challenged mandatory vaccination policies and have lost in both state and federal courts. Appeals are still [working their way through the legal system](#) but it seems likely that they will fail, at least in states without mask & vaccine mandate bans.

As of the writing of this article, dairy employees working indoors (currently thought to include parlors or communal areas) are required to wear face masks, *unless* [they are fully vaccinated](#).



Downsides to Mandated Vaccination

The central question producers face is: Even if an employer can require vaccination, is it in their best interest to do so?

Employee Lawsuits - In spite of considerable social and governmental pressure, many agricultural employees have not chosen to become vaccinated and would likely resent the implied threat to their livelihood. Some employees would likely claim religious or medical exemption, which will then trigger an interactive regulatory process. Failure to engage in good faith in the process could result in significant liability for religious or medical discrimination, which could result in recoverable damages as much as \$250,000 or more.

Resentful employees are also predisposed to lawsuits. Successful defense of even a frivolous lawsuit will likely cost thousands of dollars. Lastly, if vaccination is mandated by an employer and not the state and an employee experiences a vaccine reaction, the only entity an injured worker might turn to in order to recover damages could be his or her employer.

Employee Attrition - Perhaps even more relevant in our industry is that resentful employees are also more likely look for positions elsewhere. As every producer is aware, in recent memory there has rarely been a time with a more pronounced [labor shortage](#). Finally, even for employees that don't sue or quit, it's possible that forcing them to take a vaccine they don't want could poison the work environment of an otherwise smoothly running operation.

Potential Legal Relief for Producers

State Assembly Bill 455, [now being developed](#) in the State Legislature would, among other things, require employers in California to verify that employees have been vaccinated or have tested negative for COVID weekly. The draft bill mirrors [existing vaccine mandates](#) for state employees and health care workers and has seen support from the [business community](#). In order to become law, the Legislature must pass the bill before they adjourn the current session on September 10th. Producers considering a vaccination policy might be well advised to wait until at least that date, after which they may be able to blame required vaccination on the State government instead. Producers could explain to resentful employees that they had no say in the matter and that any other employers in the state will also have the same requirement.

Other Tools for Vaccine Encouragement

Regardless of whether or not California mandates vaccination for private employees, there are still actions producers can take to encourage vaccination. The [California Department of Public Health](#) (CDPH) offers an [Employer Vaccination Toolkit](#) where employers can request help with setting up a mobile vaccine clinic on their farm or find out how to team up with others to host vaccination events nearby.

[Other practices](#) suggested by the [Western Center for Agricultural Health and Safety](#) (WCAHS) include:

- Help employees find and [book vaccinations](#).
- Most people receiving the vaccine will have local or systemic reactions for 1-2 days. [COVID Supplemental Paid Sick Leave](#) may be applied for vaccine recovery.
- Consider staggering employee vaccination to avoid worker shortages due to possible vaccine side effects.
- Use printed training materials. This includes WCAHS's vaccine information postcard (in [English](#) and [Spanish](#)) and CDPH's poster "Schedule your COVID-19 vaccine today!" (in [English](#) and [Spanish](#)).
- Use videos. This includes CDPH's *Let's Get to Immunity* videos (in [English and Spanish](#)) and Vaccination Facts from Dr. Aragón (in [English and Spanish](#)). WCAHS also has a series of [videos](#) featuring testimonials from people attending vaccine clinics in both English and Spanish.
- Allow time for vaccine confidence to grow. Workers who are hesitant at first may become more confident after seeing coworkers get vaccinated.

As mentioned, laws and regulations are changing rapidly, and producers should check in with their legal counsel or human resources before implementing vaccine policies.