AGRICULTURE



PHOTOS: FRANK BELLINO — STAFF PHOTOGRAPHER

 $Wilson\ Creek\ Winery\ and\ Vineyards\ manager\ Greg\ Pennyroyal\ shows\ vines\ that\ are\ budding.$

WINE COUNTRY REVELS AFTER RAIN

Water cleanses soil and invigorates vines, growers say

By Fielding Buck

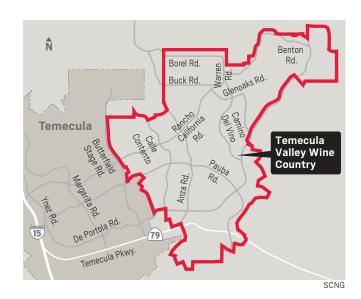
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There's nothing like God-given rain.

That's what Mike Rennie, co-owner of Leoness Cellars, said about this year's wet winter and the effect it's likely to have on his grape crop as the growing season begins. The benefit is to the soil.

"The biggest problem we've had in the last three or four years, because of the lack of rain, is high salinity in the soils," he said. "Salinity inhibits propagation. What's happened is our vines the last few years have been somewhat stunted. The foliage has been a little stunted. The salts are high, and the vines have struggled a little bit because of it."

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Winter storms dumped about 18 inches of rain on Temecula, where a normal year's total is around 12–16 inches, one grower said.

EMPLOYMENT ISSUES



LAW WILL KEEP A BUNNY HOPPING

By Todd Wulffson

Correspondent

Nose twitching, Mr. Cottontail, an accountant for Secular Inc., hops by the Human Resources Department and asks to speak with the director, Charise Spring.

"Of course," she says. "How can I help you?"

"Well," says Peter, "I need to take some time off — maybe for two to three weeks, starting this Friday, and I apologize it's last minute."

Knowing it's tax season, and the accounting department is buried, the HR director asks the reason for the sudden need for time off.

"Well," Peter says, "my family has been involved in bringing Easter to the world for dozens of generations. My uncle, Foo Foo Cottontail, was recently arrested for some altercation involving field mice, and I need to take over his role as the Easter Bunny this year."

"Go on," says Ms. Spring, clearly intrigued.

Peter elaborates: "I'm pregnant and about to lay several million eggs for children all over the world. It takes a lot of time, and I will need a couple of weeks to recover before I can return to work."

Knowing that in California, only female employees can qualify for pregnancy leave, Ms. Smith asks if Peter will need the time off to care for these new orbs of joy.

"Oh no," he says. "I leave them for the children — who peel them and eat them the next day."

"So baby-bonding leave is not going to work," Ms. Spring says as she thinks out loud. "You've worked here more than 12 months, but I just don't see how this leave qualifies, since you're a male. Before I give you an answer, though, let me call our labor lawyers."

Ms. Spring, who has her local Carothers DiSante & Freudenberger LLP office on speed dial, relays the story to a CDF lawyer.

The CDF lawyer thinks about it for a second and advises Secular Inc. to give Mr. Cottontail the three weeks of leave, unpaid, but he can use his sick and vacation time if he wants.

"Is he legally entitled to the leave?" Ms. Spring asks.

The CDF lawyer responds that although it's true that California's pregnancy disability laws only apply to female employees, and it doesn't sound like family leave is needed or desired, both California (CFRA) and federal (FMLA) law allow eligible mothers and fathers to take up to 12 weeks off for the actual birth of children, and it appears Mr. Cottontail is fulfilling both parental roles here.

Moreover, California law requires reasonable accommodation of any medical condition — and Mr. Cottontail's gravid state may be unique, but it certainly qualifies as an emergency medical condition.

The CDF lawyer closes her advice with a bit of pragmatism.

"Putting aside the legal issues — do you really want to be the company that denies a medical leave to the Easter Bunny, who is obviously trying to challenge gender identity preconceptions in 2017?" the lawyer said.

Ms. Spring realizes the CDF lawyer is right, gives Mr. Cottontail the leave, and hires a temporary accountant to help out for the rest of April. Easter is saved.

Todd R. Wulffson is managing partner in the Orange County office of Carothers DiSante & Freudenberger LLP, having experience in labor and employment issues and the evolving area of social media law. twulffson@cdflaborlaw.com or 949-622-1661