

HOUSE No. 3710

The Commonwealth of Massachusetts

PRESENTED BY:

Steven C. Owens

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to facilitate the unionization of the cannabis workforce.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/18/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/25/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/26/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/26/2021</i>

HOUSE No. 3710

By Mr. Owens of Watertown, a petition (accompanied by bill, House, No. 3710) of Steven C. Owens and others for legislation to facilitate the unionization of the cannabis workforce. Cannabis Policy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to facilitate the unionization of the cannabis workforce.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 94G of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the definition of “Independent testing
3 laboratory” the following definition:-

4 "Labor peace agreement", an agreement between a marijuana establishment and a labor
5 organization that protects the parties' interests by, at minimum, allowing union agents to inform
6 and communicate with employees of a marijuana establishment about their labor rights
7 including, but not limited to, the right to form a union without interference from the employer in
8 exchange for prohibiting the labor organization from engaging in picketing, work stoppages or
9 boycotts against the marijuana establishment; provided, that a labor peace agreement shall
10 contain a clause that the parties agree that final and binding arbitration shall be the exclusive
11 remedy for a violation of the agreement.

12 "Labor organization", any organization of any kind, or any agency or employee
13 representation committee or plan, in which employees participate and which exists for the
14 purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes,
15 wages, rates of pay, hours of employment, or conditions of work; provided, that a labor
16 organization shall: (1) elect officers by a secret ballot or otherwise in a manner consistent with
17 federal law; (2) not receive improper assistance or support from a marijuana establishment and
18 shall be free of domination or inference by a marijuana establishment; (3) actively seek to
19 represent employees of a marijuana establishment; and (4) be an affiliate of a nation federation
20 of unions, including, but not limited to the AFL-CIO.

21 SECTION 2. Subsection (b) of section 5 of said chapter 94G, as so appearing, is hereby
22 amended by adding following paragraph:-

23 (5) the prospective marijuana establishment has entered into, maintained and abided by
24 the terms of a labor peace agreement; provided, that the prospective marijuana establishment
25 shall submit an attestation signed by both the applicant and the labor organization stating that the
26 applicant meets the requirements of this paragraph. A labor peace agreement shall be an ongoing
27 material condition of a license. A violation of a labor peace agreement, established exclusively
28 through arbitration, may result in suspension, revocation or denial of a license.

29 SECTION 3. Section 6 of said chapter 94G, as so appearing, is hereby amended by
30 adding the following 2 subsections:-

31 (c) As part of a marijuana establishment's renewal application, a marijuana establishment
32 shall submit an attestation signed by both the applicant and the labor organization stating that the

33 marijuana establishment has entered into, maintained and abided by the terms of a labor peace
34 agreement.

35 (d) A violation of a labor peace agreement may result in the denial of the renewal of a
36 license.