SENATE DOCKET, NO. 1720 FILED ON: 2/18/2021

SENATE . . . . . No. 69

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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:
James B. Eldridge	*Middlesex and Worcester*

SENATE DOCKET, NO. 1720 FILED ON: 2/18/2021

SENATE . . . . . No. 69

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 69) of James B. Eldridge 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:

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

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

"Labor organization", as defined in 29 U.S.C. 152 (5); provided further that a labor organization shall: (1) elect officers by a secret ballot or otherwise in a manner consistent with

federal law; (2) not receive improper assistance or support from an employer and be free of domination or inference by an employer; and (3) actively seek to represent cannabis workers.

SECTION 2. Section 5 of said chapter 94G, as so appearing, is hereby amended by inserting after the 4th paragraph the following paragraph:-

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

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

(c) As part of a marijuana establishment's renewal application, a marijuana establishment shall submit an attestation signed by both the applicant and the labor organization stating that the marijuana establishment has entered into, maintained and abided by the terms of a labor peace agreement.

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