

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:

James B. Eldridge

DISTRICT/ADDRESS:

Middlesex and Worcester

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:

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 “Unreasonably
3 impractical” the following 2 definitions:-

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

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

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

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

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

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

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

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