

HOUSE No. 115

The Commonwealth of Massachusetts

PRESENTED BY:

Steven 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 labor peace among the cannabis workforce.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>1/13/2023</i>
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>1/20/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/1/2023</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>2/2/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/10/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/13/2023</i>

HOUSE No. 115

By Representative Owens of Watertown, a petition (accompanied by bill, House, No. 115) of Steven Owens and others for legislation to facilitate labor agreements among the cannabis workforce. Cannabis Policy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act to facilitate labor peace among 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 the following 2 definitions:-

3 "Labor peace agreement", an agreement between a cannabis establishment and a bona
4 fide labor organization that protects the parties' interests by, at minimum, allowing union agents
5 to inform and communicate with cannabis employees about their labor rights including, but not
6 limited to, the right to form a union without interference from the employer in exchange for
7 prohibiting the labor organization from engaging in picketing, work stoppages or boycotts
8 against the cannabis establishment.

9 “Labor Organization” means a bona fide labor organization of any kind, including an
10 employee representation committee, group, or association, in which employees participate and
11 which exists and is constituted for the purpose, in whole or in part, of collective bargaining or
12 otherwise dealing with compassion center or safety compliance facility employers concerning

grievances, labor disputes, terms or conditions of employment, including wages and rates of pay, or other mutual aid or protection in connection with employment, and may be characterized by the following:

(1) Being a party to 1 or more executed collective bargaining agreements with medical or personal use marijuana employers, in this State or another state.

(2) Having a written constitution or bylaws in the 3 immediately preceding years.

(3) Filing the annual financial report required of labor organizations under subsection (b) of 29 U.S.C. § 431 or having at least 1 audited financial report in the 3 immediately preceding years.

(4) Being affiliated with any regional or national association of unions, including state and federal labor councils.

(5) Being a member of a national labor organization that has at least 500 general members in a majority of the 50 states of the United States.

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

(5) the prospective marijuana establishment has submitted an attestation that the applicant shall not interfere with union agents informing and communicating with cannabis employees about their labor rights including, but not limited to, the right to form a union without interference from the employer; provided however, that this requirement may be satisfied by the submission of an attestation, signed by both the applicant and a labor organization, stating that the applicant has entered into, and will maintain and abide by the terms of, a labor peace

34 agreement. A violation of a labor peace agreement or a failure to submit an attestation may result
35 in suspension, revocation, or denial of such license.

36 SECTION 3. Subsection (b) of section 6 of said chapter 94G, as so appearing, is hereby
37 amended by adding the following paragraph:-

38 As part of a marijuana establishment's renewal application, a marijuana establishment
39 shall submit an attestation stating that the marijuana establishment has not interfered, and will
40 not interfere, with its employees' ability to form and maintain a union, including the ability for
41 union agents to inform and communicate with employees about their labor rights including, but
42 not limited to, the right to form a union without interference from the employer; provided
43 however, that this requirement may be satisfied by the submission of an attestation signed by the
44 license holder and a labor organization stating that the license holder has entered into,
45 maintained, and abided by the terms of a labor peace agreement. A violation of a labor peace
46 agreement or a failure to submit an attestation may result in the denial of the renewal of a
47 license.