

HB 3183 -3 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 5/11

WHAT THE MEASURE DOES:

Requires Oregon Liquor and Cannabis Commission (OLCC) to require applicant for cannabis-related license or license renewal to submit signed attestation that applicant will not interfere with labor organizing efforts or that applicant and labor organization, certified to represent applicants' employees, have entered into and will abide by labor peace agreement.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-3 Replaces measure. Defines terms. Excludes workers who perform agricultural worker from definition of employee. Requires applicant to submit to Oregon Liquor and Cannabis Commission (OLCC) as part of application for new cannabis-related license or certification or renewal of license or certification, copy of signed labor peace agreement or attestation that applicant and bona fide labor organization have entered into and will abide by terms of labor peace agreement. Permits OLCC to deny cannabis-related application or renewal application for licensure or certification, if applicant does not provide signed labor peace agreement or attestation or abide by terms of labor peace agreement. Requires licensee or certificate holder to notify OLCC, in writing, within 10 business days of termination of labor peace agreement. Requires licensee or certificate holder to include in termination notice, attestation that they will enter into new labor peace agreement within 30 days after date of termination. Requires licensee or certificate holder provide evidence to OLCC, no later than 30 days after termination, that they have entered into new labor peace agreement. Specifies required evidence. Requires OLCC impose sanctions against licensee or certificate holder for failure to provide required evidence of new labor peace agreement. Sanctions are: license or certification suspension for up to 10 days or \$1,650 fine, if evidence is not provided within 30 days; license or certification suspension for up to 30 days or \$4,950 fine, if evidence is not provided within 60 days; license or certification suspension for up to 30 days, if evidence is not provided within 90 days; and license or certification will be revoked if evidence is not provided within 120 days. Requirements for labor peace agreement apply to applications or renewals for license or certification after effective date of measure.

BACKGROUND:

A labor peace agreement is a contract between an employer and a union, in which the employer agrees to be neutral during a union organizing campaign and not interfere with labor organizing efforts. The labor union agrees not to engage in picketing, work stoppages, boycotts, and any other economic interference with the employer.

House Bill 3183 requires an applicant for a cannabis producer, wholesaler, retailer, or processor license or license renewal to submit a signed attestation or declaration stating that either: the applicant will not interfere with communications between labor representatives and employees regarding organizing rights or the applicant and the labor organization that represents the applicants' employees have entered into a labor peace agreement. If a licensed cannabis business interferes with communications between employees and labor organization or fails to abide by the terms of a labor peace agreement, the Oregon Liquor and Cannabis Commission has the ability to suspend or revoke a license or deny an application for licensure or license renewal. California, New Jersey, New York, Illinois, and Virginia have similar statutes requiring labor peace agreements between licensed cannabis

businesses and labor organizations.

PRELIMINARY