



DH, MMRegulations

From: Rick Bloomingdale <president@paafclcio.org>
Sent: Monday, April 5, 2021 4:46 PM
To: DH, MMRegulations
Cc: Rick Bloomingdale; Frank Snyder; Sarah Hammond
Subject: [External] LPA - PA AFL-CIO Public Comment
Attachments: LPA - PA AFL-CIO Public Comment.pdf

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This is a submission for public comment regarding the Medical Marijuana Program Labor Peace Agreements in section

§ 1141.47. (General penalties and sanctions).



PENNSYLVANIA AFL-CIO

RICHARD W. BLOOMINGDALE
President

FRANK SNYDER
Secretary-Treasurer

April 5, 2021

To the members of the Independent Regulatory Review Commission and Department of Health:

The Pennsylvania AFL-CIO, on behalf the 700,000 hardworking women and men we represent, submit this public comment in response to the proposed Regulation #10-219 regarding Medical Marijuana.

The Medical Marijuana Program here in Pennsylvania ensures that the thousands of patients across the Commonwealth in need of critical relief are able to receive it. Beyond the medicinal impact that Medical Marijuana provides patients, it also creates sustainable jobs for growers, processors and distributors. This program presents the opportunity to pave the way for Pennsylvania to provide economic support in the form of good-paying jobs in a budding industry.

As we look to the incredible potential that lies ahead of us, it's imperative that we can ensure employers in this industry are accountable to a standard consistent with other industries serving Pennsylvania. It is crucial that Pennsylvania creates a process that serves to protect the industry's workforce and the future. As such, our comments are regarding section **§ 1141.47. General penalties and sanctions.**

Currently, applicants seeking a medical marijuana license must submit a comprehensive application detailing their development plans, financials, community impact, and more. Applicants can receive additional points on their application by signing agreements with a labor organization to ensure quality working conditions for Pennsylvanians including better wages, benefits, and protection to employees and contractors in this new

industry. It is critical that these employers are being held to the highest standard to follow through with these commitments after receiving their license.

We are requesting a change to subsection 1141.47 (General penalties and sanctions) to include the following language, which will ensure that employers comply with the labor agreements they submit with their application, giving the employees the opportunity to learn about all of their options and penalize the employer should they be found in violation:

§ 1141.47. General penalties and sanctions. (a)(vi) The medical marijuana organization fails to comply with neutrality and card check agreements and/or other labor agreements submitted with the initial application.

This change will permit the Department of Health to suspend or revoke a license, issue a civil penalty of up to \$10,000 for the violation and an additional penalty of up to \$1,000 a day for each day the violation is not fixed, or issue a written warning against the license, depending on the gravity of the situation. These penalties are in line with those provided for *all* provisions under this section.

This additional language will permit the Department of Health to ensure that employers are held accountable to their promises, and that bad actors in this industry are eliminated. This is a simple and necessary change that will set the standard for this industry as it builds forward. On behalf of the 700,000 hardworking men and women we represent, thank you for taking our comments into consideration.

Sincerely,
Rick & Frank

Richard W. Bloomingdale / Frank Snyder
President / Secretary-Treasurer
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Sincerely,

Richard W. Bloomingdale, President
Frank Snyder, Secretary-Treasurer

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