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From: Michael J. Lawson, Esq. <attorneymjl@gmail.com>
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To: IRRC
Subject: Medical Marijuana Regulations IRRC #3290
Attachments: laborpeaceagreements.pdf

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Dear Commission Members,

Thank you for the opportunity to provide a public comment in the promulgation of final Pa Medical Marijuana Regulations. (*28 Pa Code 1131 et.seq.*)

In evaluating an application for a Medical Marijuana Clinical Registration, the existence of a Labor Peace Agreement should not be a criterion for providing additional community "PRIORITY" points as is the current practice of the Pa Department of Health.

Labor Peace Agreements are not in the public interest and certainly not in the interest of the most important people affected by them, i.e., employers and employees.

The fallacy of Labor Peace Agreements can be clearly seen by examining the nature of employment. There are two parties to the employment relationship, the employer and the employee.

Few employment related decisions employees make are as important as whether to be represented by a union. It is very likely that the employer will have information employees ought to know about this decision.

Labor Peace Agreements make it impossible for employers to provide this information to employees. They are an injustice to employees because they deny them access to information they need in order to make a well-informed decision.

Most Labor Peace Agreements also contain a provision granting union recognition on the basis of what is known as a "card check" election.

In a card check election unions gain recognition on the basis of signed cards rather than by a secret ballot election.

Card check elections compound the injustice of Labor Peace Agreements by denying workers the right to vote on whether to be represented by a union.

Labor unions typically contend card check elections are necessary because employers use threats and intimidation to influence the results of government supervised secret ballot elections.

They conveniently choose to ignore that unions are notorious for using subtle forms of moral suasion, which are frequently neither subtle nor moral, to obtain signatures on authorization cards.

The fact that authorization cards are not a reliable indicator of employee sentiment is demonstrated by several studies showing that unions lose most of the elections, even when a narrow majority of workers sign authorization cards. I would further urge the Commission to review the article linked below and request it be made a part of the public record in considering the final regulation

<https://www.uschamber.com/sites/default/files/documents/files/laborpeaceagreements.pdf>

Labor Peace Agreements are an insult and injustice to employees. They are a desperate attempt by unions to use their political power to shore up their sagging fortunes.

The Commonwealth should maintain neutrality in the decision of awarding a license. Assessing points for promoting a bargaining relationship detracts therefrom and should be removed as a criterion for awarding up to 25 Priority points as is the current practice of the Department of Health.

I request the IRRC remove the criterion and discretion to award Priority points for the presence of a Labor Peace Agreement.

Respectfully,

Michael J. Lawson, Attorney At Law