



DH, MMRegulations

From: Brittney Rodas <brodas@ufcw1776.org>
Sent: Monday, March 8, 2021 10:18 AM
To: DH, MMRegulations
Cc: Chris Naylor; Collins, John
Subject: [External] Public Comment - Regulation #10-219
Attachments: Public Comment - UFCW Local 1776.pdf

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Please see attached public comment from UFCW Local 1776 regarding regulation 10-219. If you have any questions, please don't hesitate to contact me.

In solidarity,

Brittney Rodas, MPA
Legislative & Political Rep.
UFCW Local 1776
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WENDELL YOUNG IV
President

MICHELE KESSLER
Secretary-Treasurer

ANTHONY M. HELFER
Recorder

Members of the Independent Regulation Review Commission and Department of Health:

UFCW Local 1776 is submitting public comment in response to proposed Regulation #10-219: Medical Marijuana. The Medical Marijuana Program provides critical relief for thousands of patients across the Commonwealth, sustainable jobs for growers, processors and distributors and an opportunity to pave the way for a new and developing industry in Pennsylvania. UFCW Local 1776 has been able to organize and provide protection for over 150 employees at 12 locations. It is critical that we get this process right and ensure that employers are accountable in order to protect Pennsylvanians and the future of the industry. As such, our comments are in regard to section **§ 1141.47. General penalties and sanctions.**

As you are aware, applicants seeking a medical marijuana license submit a comprehensive application detailing their projected plans, financials, diversity plans, impact on the community, and more. Applicants have been able to receive additional points on their application by signing a **neutrality and card check agreement with a labor organization**, agreeing to stay neutral in the attempt to organize the workforce, bringing better wages, benefits and protection in such a new industry. With a limited number of licenses available, it is critical that these employers are being held to such standards when receiving their license. UFCW Local 1776 has signed neutrality and card check agreements with X potential employers and of those, X were awarded licenses. Within that small number of neutrality agreements, 4 employers have refused to cooperate despite receiving extra consideration for our agreement during the application process. We believe that this failure to comply with neutrality agreements submitted for their gain hinders the medical marijuana program and enables bad actors in the workforce-- many of which are from out of state, at the expense of employees and consumers.

Therefore, we are requesting a change to subsection 1141.47 (General penalties and sanctions). We are requesting that the Independent Regulation Review Commission include the following language to ensure that employers comply with the neutrality and card check agreements they submit with their application:

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

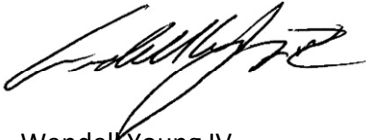
This simple addition will permit the Department of Health to ensure that employers are not falsifying their plans to stay neutral on applications in order to receive additional points. This simple change will help further protect the workforce of an industry that we are still learning how to best operate. Thank you for



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taking our comments into consideration. Should you have any questions, please contact Chris Naylor at CNaylor@ufcw1776.org or 267-738-4403.



Wendell Young IV
President, UFCW Local 1776