

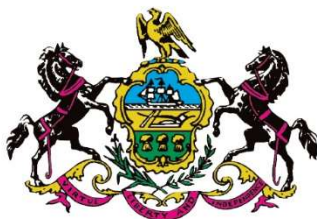
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## Senate of Pennsylvania

April 3, 2021

Pennsylvania Independent Regulatory Review Commission  
 333 Market St. 14<sup>th</sup> Floor  
 Harrisburg, PA 17101

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

I am 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 industry in Pennsylvania. As a member of the General Assembly, it is my responsibility to ensure that the implementation of laws we pass do not have a negative impact on the workforce, public health, and our communities. It is critical that we get the process right in order to protect Pennsylvanians, and the future of the industry. As such, my comments are regarding 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 to 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.

As such, I am proposing a change to subsection 1141.47 (General penalties and sanctions). I am 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.

The medical marijuana industry has been progressively expanding across Pennsylvania. As an industry that has added new jobs to the state and brought a product to individuals who may benefit from it, it has also provided opportunity for unionization.

United Food and Commercial Workers (UFCW) unions across the nation represent thousands of workers in medical marijuana dispensaries and facilities. As the medical marijuana industry continues to grow within Pennsylvania, UFCW Local 1776 has been a prominent leader in fostering the emerging medical marijuana industry and the unionization of its dedicated workers. Labor peace agreements should allow UFCW Local 1776 to meet with membership and discuss unionization without intervention from the employer. Unfortunately, that is not always the case.

As a staunch supporter of UFCW Local 1776, revising this regulation will not only allow us to continue supporting our local unions, but also our constantly expanding medical marijuana industry.

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. The change in this language will help further protect the workforce of an industry that we are still learning how to best operate. Thank you for taking my comments into consideration.

Sincerely,

A handwritten signature in black ink, reading "Amanda M. Cappelletti". The signature is fluid and cursive, with the first name "Amanda" and last name "Cappelletti" clearly distinguishable.

Amanda M. Cappelletti, State Senator  
17<sup>th</sup> Senatorial District