

House Bill 3183

Sponsored by Representative BOWMAN, Senator GORSEK, Representative GRAYBER (at the request of United Food and Commercial Workers Local 555)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Liquor and Cannabis Commission to require applicant for cannabis-related license or license renewal to submit signed attestation that applicant will refrain from interfering with labor organizing efforts or submit attestation that applicant and labor organization that is certified to represent employees of applicant have entered into and will abide by terms of labor peace agreement.

A BILL FOR AN ACT

1
2 Relating to labor peace requirements as a condition for cannabis-related licensure.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 475C.005 to**
5 **475C.525.**

6 **SECTION 2. (1) As used in this section:**

7 (a) "Labor dispute" has the meaning given that term in ORS 663.005.

8 (b) "Labor organization" means a bona fide organization of any kind, or an agency or an
9 employee representation committee, group, association or plan, in which employees partic-
10 ipate and which exists for the purpose, in whole or in part, of dealing with employers con-
11 cerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions
12 of work, and which may be characterized by one or more of the following:

13 (A) Being a party to one or more collective bargaining agreements with an employer who
14 holds a license issued under ORS 475C.005 to 475C.525.

15 (B) The adoption of organizational bylaws or a written constitution as required by 29
16 U.S.C. 431 (a).

17 (C) The filing of annual financial reports as required by 29 U.S.C. 431 (b).

18 (D) Having a record of an audit of the financial reports described in subparagraph (C) of
19 this paragraph within the three years immediately preceding the most recent filing of such
20 reports.

21 (E) An affiliation with any regional or national association of labor organizations.

22 (F) Membership in a national labor organization that has at least 500 general members
23 throughout a majority of the United States.

24 (c) "Labor peace agreement" means an agreement entered into between an applicant for
25 a license or renewal of a license issued under ORS 475C.005 to 475C.525 and a labor organ-
26 ization certified to represent the employees of the applicant under which:

27 (A) The applicant has agreed to remain neutral with respect to the labor organization's
28 representatives communicating with the applicant's employees about the rights afforded to
29 employees under ORS 663.110; and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (B) The labor organization has agreed to refrain from engaging in strikes, work stop-
2 pages, boycotts or other economic interference with the applicant's business to resolve a
3 labor dispute.

4 (d) "Strike" has the meaning given that term in ORS 662.205.

5 (2) In addition to and not in lieu of any other requirement with which an applicant for a
6 license or renewal of a license issued under ORS 475C.005 to 475C.525 must comply, the
7 Oregon Liquor and Cannabis Commission shall require an applicant to submit, along with an
8 application for a license or renewal of a license:

9 (a) A signed declaration or attestation stating that the applicant will not interfere with
10 communications from a representative of a labor organization informing the employees of
11 the applicant of the rights afforded to employees under ORS 663.110; or

12 (b) An attestation signed by the applicant and the labor organization certified to repre-
13 sent the employees of the applicant stating that the applicant and the labor organization
14 have entered into and will abide by the terms of a labor peace agreement.

15 (3) Failure to comply with the requirements of subsection (2) of this section or to abide
16 by the terms of a labor peace agreement described in subsection (2)(b) of this section is
17 grounds for the commission to:

18 (a) Suspend or revoke a license issued under ORS 475C.005 to 475C.525.

19 (b) Deny an application for licensure or renewal of a license issued under ORS 475C.005
20 to 475C.525.

21 **SECTION 3.** The requirements of section 2 of this 2023 Act apply to applications for li-
22 censes and license renewals received by the Oregon Liquor and Cannabis Commission on or
23 after the effective date of this 2023 Act.