

# SENATE BILL 887

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By: **Senators Lam and McCray**

Introduced and read first time: February 6, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Greenhouse Workers – Collective Bargaining and Heat**  
3 **Protection**

4 FOR the purpose of establishing collective bargaining rights for employees of employers  
5 that operate controlled-environment agricultural operations; requiring the  
6 Secretary of Labor to establish by regulation certain procedures related to the  
7 collective bargaining; authorizing the Secretary to investigate violations and enforce  
8 certain provisions of this Act related to collective bargaining; requiring the  
9 employers who operate controlled-environment agricultural operations to provide to  
10 their employees certain rest breaks under certain circumstances; and generally  
11 relating to greenhouse workers.

12 BY adding to

13 Article – Labor and Employment

14 Section 4–701 through 4–703 to be under the new subtitle “Subtitle 7. Collective  
15 Bargaining for Greenhouse Workers”; and 5–1202

16 Annotated Code of Maryland

17 (2025 Replacement Volume)

18 BY repealing and reenacting, without amendments,

19 Article – Labor and Employment

20 Section 5–1201

21 Annotated Code of Maryland

22 (2025 Replacement Volume)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
24 That the Laws of Maryland read as follows:

25 **Article – Labor and Employment**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1       **SUBTITLE 7. COLLECTIVE BARGAINING FOR GREENHOUSE WORKERS.**2       **4-701.**3           **(A)** IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.5           **(B)** “CONTROLLED-ENVIRONMENT AGRICULTURAL OPERATION” MEANS AN  
6 AGRICULTURAL OPERATION IN WHICH PLANTS ARE CULTIVATED PRIMARILY WITHIN  
7 A GREENHOUSE OR OTHER ENCLOSED STRUCTURE WHERE TEMPERATURE AND  
8 ENVIRONMENTAL CONDITIONS ARE ARTIFICIALLY REGULATED.9           **(C)** “EMPLOYEE” MEANS AN INDIVIDUAL EMPLOYED BY AN EMPLOYER  
10 ENGAGED IN THE BUSINESS OF OPERATING A CONTROLLED-ENVIRONMENT  
11 AGRICULTURAL OPERATION.12          **(D)** “EMPLOYEE ORGANIZATION” MEANS A LABOR ORGANIZATION IN WHICH  
13 EMPLOYEES PARTICIPATE AND THAT HAS AS ONE OF ITS PRIMARY PURPOSES  
14 REPRESENTING EMPLOYEES.15          **(E)** “EXCLUSIVE REPRESENTATIVE” MEANS AN EMPLOYEE ORGANIZATION  
16 THAT HAS BEEN CERTIFIED THROUGH AN ELECTION OF EMPLOYEES TO REPRESENT  
17 AND BARGAIN FOR THOSE EMPLOYEES OVER ANY TERMS AND CONDITIONS OF  
18 EMPLOYMENT AUTHORIZED UNDER THIS SUBTITLE.19          **(F)** (1) “SHOWING OF INTEREST FORM” MEANS A WRITTEN STATEMENT  
20 FROM AN EMPLOYEE WHO WISHES TO BE REPRESENTED BY A PETITIONING  
21 EMPLOYEE FOR THE PURPOSE OF COLLECTIVE BARGAINING.22          **(2)** “SHOWING OF INTEREST FORM” INCLUDES A UNION  
23 AUTHORIZATION CARD OR UNION MEMBERSHIP CARD.24          **(G)** “SECRETARY” MEANS THE SECRETARY OF LABOR.25       **4-702.**26          **(A)** EMPLOYEES HAVE THE RIGHT TO:27           **(1)** SELF-ORGANIZATION;28           **(2)** FORM, JOIN, OR ASSIST AN EMPLOYEE ORGANIZATION;

1 (3) BARGAIN COLLECTIVELY THROUGH AN EXCLUSIVE  
2 REPRESENTATIVE OF THEIR CHOICE;

5 (5) ENGAGE IN OTHER LAWFUL CONCERTED ACTIVITIES FOR THE  
6 PURPOSE OF COLLECTIVE BARGAINING; AND

7 (6) REFRAIN FROM ANY ACTIVITY UNDER ITEMS (1) THROUGH (4) OF  
8 THIS SUBSECTION.

12 (1) MEET AT REASONABLE TIMES;

**(2) ENGAGE IN COLLECTIVE BARGAINING IN GOOD FAITH;**

16 (4) REDUCE TO WRITING ALL MATTERS AGREED ON AS A RESULT OF  
17 NEGOTIATIONS.

18 (c) COLLECTIVE BARGAINING SHALL INCLUDE ALL MATTERS RELATING TO  
19 WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

20 (D) AN EMPLOYER MAY NOT INTERFERE WITH, INTIMIDATE, RESTRAIN, OR  
21 COERCE AN EMPLOYEE IN THE EXERCISE OF THE EMPLOYEE'S RIGHTS UNDER THIS  
22 SUBTITLE.

23 4-703.

24 (A) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS  
25 SUBTITLE, INCLUDING PROCEDURES FOR:

## (1) DETERMINING APPROPRIATE BARGAINING UNITS:

27 (2) VERIFICATION OF SHOWING OF INTEREST FORMS:

4 (5) PROCEDURES FOR RESOLVING AN IMPASSE BETWEEN THE  
5 PARTIES.

6 (B) (1) THE SECRETARY MAY:

7 (I) INVESTIGATE AN ALLEGED VIOLATION OF THIS SUBTITLE;  
8 AND

16 5-1201.

17 (a) (1) In this section the following words have the meanings indicated.

21 (3) "Heat stress" means the net load to which a worker is exposed from the  
22 combined contributions of metabolic heat, environmental factors, and clothing worn that  
23 results in an increase in heat storage in the body, causing body temperature to rise to  
24 sometimes dangerous levels.

5 5-1202.

6 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
7 INDICATED.

(2) "CONTROLLED-ENVIRONMENT AGRICULTURAL OPERATION" HAS THE MEANING STATED IN § 4-701 OF THIS ARTICLE.

14 (B) THIS SECTION APPLIES ONLY TO AN EMPLOYEE OF AN EMPLOYER WHO  
15 OPERATES A CONTROLLED-ENVIRONMENT AGRICULTURAL OPERATION.

16 (C) IF A REQUIREMENT ESTABLISHED UNDER THIS SECTION AND A  
17 REQUIREMENT ESTABLISHED BY THE COMMISSIONER IN ACCORDANCE WITH §  
18 5-1201 OF THIS SUBTITLE CONFLICT, THE REQUIREMENT PROVIDING GREATER  
19 PROTECTION TO AN EMPLOYEE SHALL PREVAIL TO THE EXTENT OF THE CONFLICT.

20 (D) EACH EMPLOYER SHALL PROVIDE EMPLOYEES WITH PAID REST BREAKS  
21 OF NOT LESS THAN 5 MINUTES FOR EACH HOUR THAT THE HEAT INDEX INSIDE A  
22 CONTROLLED-ENVIRONMENT AGRICULTURAL OPERATION REACHES AND  
23 MAINTAINS AT LEAST 90 DEGREES FAHRENHEIT

**(E) A REST BREAK PROVIDED IN ACCORDANCE WITH THIS SECTION:**

25 (1) SHALL BE COMPENSATED AS WORKING TIME PAID AT THE  
26 EMPLOYEE'S REGULAR RATE OF PAY UNLESS THE BREAK COINCIDES WITH AN  
27 OTHERWISE UNPAID MEAL PERIOD; AND

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2026.