



Senate Bill 887

Position: Unfavorable

Committee: Senate Finance

Date: March 11, 2026

Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic growth for Maryland businesses, employees, and families.

Senate Bill 887 (SB 887) would create collective bargaining rights for workers employed by controlled-environment agricultural operations. It directs the Maryland Department of Labor to set up procedures by regulation for how collective bargaining is to work, gives the Department authority to investigate and enforce those provisions, and requires employers in those operations to provide certain rest breaks and other heat-related protections to employees.

While we support the goal of protecting workers and promoting safe workplaces, the bill raises serious concerns regarding federal preemption under the National Labor Relations Act (NLRA) and the scope of the agricultural worker exemption. The NLRA creates a comprehensive federal framework governing collective bargaining and vests exclusive jurisdiction in the National Labor Relations Board. The U.S. Supreme Court has consistently held that state laws regulating conduct arguably protected or prohibited by the NLRA are preempted.

Although agricultural workers are excluded from NLRA coverage, federal law and NLRB precedent do not provide a bright-line definition of who qualifies as an agricultural worker, and the determination depends on the actual duties performed. As drafted, SB 887's broad definitions risk encompassing workers who may be covered by federal labor law, creating legal uncertainty and the potential for preemption challenges.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report on SB 887**.