

SB0887 – Labor and Employment – Greenhouse Workers

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY

SB0887 – Labor and Employment – Greenhouse Workers Collective Bargaining and Heat Protection

Bill Sponsor: Senator Lam

Committee: Senate Finance

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, Co-Chair

Position: FAVORABLE

I am submitting this testimony in support of **SB0887** on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

Greenhouse workers are on the front lines of climate driven workplace risk. Extreme heat events are increasing in frequency and intensity, and enclosed agricultural structures trap heat in ways that magnify those dangers. Without the ability to organize, workers have limited power to negotiate for adequate ventilation, rest breaks, emergency procedures, or investments in safer infrastructure. Collective bargaining is not only a labor right—it is a climate resilience strategy.

SB0887 contains specific mandate: 5-minute paid rest breaks for every hour the heat index is 90°F or higher. It also directs the Secretary of Labor to establish procedures for collective bargaining and authorizes the Department to investigate and enforce violations. These provisions create a fair, transparent, and enforceable system that protects both workers and responsible employers. By setting statewide standards, SB0887 ensures that greenhouse operations cannot cut corners on safety or suppress worker voice.

Greenhouse workers—many of whom are immigrants, low-wage earners, or seasonal laborers—deserve the same fundamental rights and protections afforded to other workers across the state. Ensuring their ability to organize and secure safe working conditions is essential to building a resilient agricultural sector and a fair economy.

For these reasons, we respectfully urge a **FAVORABLE** report on SB0887.

SB887_FAV.pdf

Uploaded by: Donna Edwards

Position: FAV



MARYLAND STATE & D.C. AFL-CIO

Affiliated with the National AFL-CIO

Donna S. Edwards
President

Samuel Epps, IV
Secretary-Treasurer

📞 410.280.2233

📠 410.280.2956

📍 7 School Street
Annapolis, MD 21401-2096

SB 887 - Labor and Employment - Greenhouse Workers - Collective Bargaining and Heat Protection

Senate Finance Committee

March 11, 2026

SUPPORT

Donna S. Edwards

Maryland State and DC AFL-CIO

Madame Chair and members of the Committee, thank you for the opportunity to submit testimony in support of SB 887. On behalf of 700 affiliated unions, I offer the following comments.

Collective bargaining is an exercise of freedom and democracy. Collective bargaining unites workers through their union to negotiate as equals with employers, determine wages, hours, leave, safety, and work-life balance. SB 887 extends these rights to greenhouse workers who have been excluded from these rights for too long.

This legislation gives greenhouse workers the right to organize, to form a union, and to negotiate for the protections they deserve. It also establishes a heat-protection standard to ensure that workers do not suffer heat related injuries.

In 1935, Congress passed the National Labor Relations Act (NLRA) establishing employees' rights to join unions and required employers to bargain collectively with unions. But agricultural workers were excluded from the Act. Industrial greenhouses did not exist at the time. Erroneously over time greenhouse workers were swept into a big tent of agricultural workers. As a result, these workers have spent decades without basic rights or a meaningful voice on the job.

Greenhouse work is often misunderstood as another form of agricultural labor. However, greenhouse work is year-round, not seasonal. These workers do not have certain seasons off. They work continuously in fast-paced, physically demanding environments, and are expected to perform their jobs to the highest quality.

Workers have been clear about the challenges they face: low wages, dangerous lack of benefits, and no real opportunities for growth. They also talk about the significant physical



unions@mddclabor.org



www.mddclabor.org



facebook.com/mddcaflcio



instagram.com/md_dc_aflcio



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 7 School Street
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strain of the job with constant exposure to high temperatures without adequate breaks. When problems arise, they have no recourse. Granting collective bargaining rights would allow these workers to have a formal, reliable process to address unsafe conditions, unfair treatment, and basic needs on the job.

SB 887 ensures greenhouse workers have a voice in their workplace and the ability to advocate for fair treatment, safe conditions, and a path toward stability.

For these reasons, we urge a favorable vote on SB 887.



unions@mddclabor.org



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UFCW 400 Favorable on SB0887 - Greenhouse Workers

Uploaded by: Kayla Mock

Position: FAV

Testimony for SB0887

Favorable

**Labor and Employment – Greenhouse Workers – Collective Bargaining
And Heat Protection**

March 9, 2026

To: Honorable Chair Beidle, Vice Chair Hayes, and the members of the
Senate Finance Committee

From: Kayla Mock, Political & Legislative Director

United Food and Commercial Workers Union Local 400

Chair Beidle, Vice Chair Hayes, members of the Senate Finance Committee:

I appreciate the opportunity to share my testimony on behalf of our over 10,000 members in Maryland, who work in grocery, retail, food distribution, cannabis, and health care. Through collective bargaining, our members raise the workplace standards of wages, benefits, safety, and retirement for all workers. Union members are critical to addressing inequality and uplifting the middle class.

Many of our members are the hardworking men and women who keep Maryland's grocery stores running, ensuring families have access to fresh food and essential goods.

We strongly support SB0887, Collective Bargaining for Greenhouse Workers, and urge you to vote it favorably.

In 1935, the National Labor Relations Act (NLRA, or the Wagner Act) was signed into law by President Franklin D. Roosevelt. Its primary purpose was to establish the National Labor Relations Board (NLRB) to protect employees' rights to organize, collectively bargain, and engage in concerted activity.

Unfortunately, not all workers were included in the NLRA: it excludes agricultural workers, domestic workers, supervisors, independent contractors, public-sector employees (federal, state, and local), and those employed by a parent or spouse.

The push to exclude agricultural workers was primarily due to political pressure from the Southern-dominated agricultural bloc. They argued that strikes during critical harvest times could ruin farmers' income, that the burden of collective bargaining would be too great for small farmers and businesses, and that collective bargaining would lead to higher labor costs, driving up food prices.

And FDR needed enough Southern Democrats to vote for the New Deal.

So agricultural workers, and more, were left out.

This exemption was used to manage a cheap, exploited labor force. It was rooted in and helped maintain racial, economic, and political disparities, as the workforce was, at the time, overwhelmingly African American.

Thus, agricultural workers are not considered "employees" under the federal NLRA, leaving them without legal protection to form unions and engage in collective bargaining

The consequences of these exemptions are deeply felt today.

If agricultural workers decide they want to come together to address workplace issues, organize a union, or engage in collective, concerted activity, they have no formal process to do so.

Normally, workers would engage in the NLRB's procedures to address concerns; however, as agricultural workers are not recognized as employees under the NLRB, they cannot participate.

This leaves agricultural workers in a very vulnerable position, often left with no recourse to advocate for better working conditions. Agriculture is a leading cause of fatal, work-related injuries due to the physical strain and environmental exposure. Workers are frequently exposed to extreme heat or cold, with a 35 times higher risk of fatal heat-related illnesses compared to other workers (American Public Health Association). Workers also face exposure to toxic chemicals with inadequate protection.

Lastly, agricultural workers still tend to be minorities, with 63% of the workforce being Latino, according to a study done in 2024 by the US Department of Agriculture.

SB0887 carves out a specific category of agricultural workers (greenhouse growers) and affords them the dignity of being recognized as employees. It affords them, in the state of Maryland, to collectively bargain, if they choose.

The landscape of agricultural work has come a long way since the 1930's, when agricultural workers were originally excluded. However, the opponents' arguments for excluding them remain the same: strikes would be disruptive, labor costs would lead to higher food prices, and small businesses would be unable to afford the administrative costs of bargaining.

All this bill does is give agricultural greenhouse grow workers the right to organize and collectively bargain, a right that 14 states already granted.

Agricultural workers deserve to be treated with respect and dignity, and the wrongful exclusion of their right to organize should be corrected in Maryland.

For all of these reasons and more, we urge a favorable report on SB0887.

SB887 - PJC FAV - Greenhouse Workers Bill FINAL.p

Uploaded by: Nicole Tortoriello

Position: FAV



Nicole Tortoriello, Managing Attorney
Workplace Justice Project
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 279
tortoriellon@publicjustice.org

SB887 – Labor and Employment – Greenhouse Workers – Collective Bargaining and Heat Protection

Hearing before the Senate Finance Committee, March 11, 2026

Position: FAVORABLE

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization that seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Workplace Justice Project promotes justice and equity in the workplace. We work to expand and enforce the rights of low-wage workers to receive an honest day's pay for an honest day's work in a safe, equitable workplace. **The PJC supports SB887, which would ensure greenhouse workers have the ability to participate in collective bargaining.**

SB887 would ensure Maryland's greenhouse workers receive the same unionization rights as most other workers. The Public Justice Center supports unionization rights for all workers, including those excluded from the National Labor Relations Act in 1935 like domestic and agricultural workers. The federal exclusions were based in compromises with Southern states and were "deeply rooted in the racism that structured American society."¹ These exclusions are out of line with Maryland values. Maryland's small but crucial population of hundreds of greenhouse workers experience low wages and minimal employment benefits for a difficult job that takes an enormous physical toll.

Maryland would not be the first state to provide these rights to this population – New York state has already passed legislation giving all farmworkers the right to organize. Providing collective bargaining rights will allow greenhouse workers to join the vast majority of Maryland workers in being able to collectively address their abysmal working conditions and advocate together for better pay and benefits.

For the reasons discussed above, the Public Justice Center **SUPPORTS SB887** and requests a **FAVORABLE** report.

¹ *Thirty Years of Farmworker Struggle*, National Park Service, <https://www.nps.gov/articles/000/a-new-era-of-farm-worker-organizing.htm> (last checked February 24, 2026).

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

SB 887.pdf

Uploaded by: Adam Streight

Position: UNF

Adam Streight
County Executive

Dan Schneckenburger
Director of Administration



Office: 410.996.8300
Fax: 800.863.0947

County Information
410.658.4041
410.996.5200

CECIL COUNTY, MARYLAND

Office of the County Executive
200 Chesapeake Boulevard, Suite 2100, Elkton, MD 21921

March 4, 2026

The Honorable Pamela Beidle, Chair
Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401

RE: **Letter of Opposition for Senate Bill 887** – Labor and Employment – Greenhouse Workers – Collective Bargaining and Heat Protection.

Dear Chair and Members of the Committee,

As Cecil County Executive and Council President, and after hearing from several constituents who would be adversely affected, we respectfully oppose SB 887. While we are generally supportive of collective bargaining rights, this bill, as drafted, singles out a small group of greenhouse growers rather than addressing the industry as a whole. These businesses are already heavily regulated and maintain standard workplace practices that address the concerns outlined in the legislation.

Greenhouses are an important part of Cecil County's agricultural sector and broader local economy, often operating on slim profit margins. Growers have expressed concern that SB 887—and its counterpart, HB 1108—would increase overhead and administrative costs, further reducing margins and limiting their ability to employ local residents. It would be counterproductive to impose additional burdens on Cecil County's local businesses that could hinder economic growth and job creation.

Thank you for your time and consideration. We respectfully urge an **unfavorable** report on SB 887.

Sincerely,



Adam Streight
County Executive



Al Miller
Council President

SB 887_Labor and Employment-Greenhouse Workers-Col

Uploaded by: Grason Wiggins

Position: UNF



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**.

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Uploaded by: Joe Bryce

Position: UNF



March 11, 2026

The Honorable Pam Beidle
Chair, Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401

RE: Unfavorable on Senate Bill 887 – Labor and Employment – Greenhouse Workers – Collective Bargaining and Heat Protection

Dear Chair Beidle:

The Maryland Wholesale Cannabis Trade Association (CANMD) thanks you for the opportunity to offer comments on Senate Bill 887 – *Labor and Employment – Greenhouse Workers – Collective Bargaining and Heat Protection*. CANMD represents Maryland cannabis grower and processor licensees. CANMD respectfully opposes this legislation and urges the Committee to issue an unfavorable report.

Senate Bill 887 singles out **any worker** who works with **plants in an environmentally controlled enclosed structure** (e.g., indoor grow and greenhouse workers) and grants them collective bargaining rights that no other agricultural workers in Maryland possess. While the National Labor Relations Act (NLRA) excludes agricultural employees from its jurisdiction, this bill would provide indoor grow and greenhouse workers—a narrow subset of agricultural employees—with collective bargaining rights unavailable to any other agricultural workers in the State.

This approach is unprecedented: while some states have enacted collective bargaining rights for all agricultural workers, no state has ever carved out only a specific subset of agricultural workers for special treatment. The practical effect of this legislation seemingly targets cannabis cultivators specifically -- **virtually all cannabis cultivators grow plants in enclosed structures with temperature and environmental conditions being artificially regulated** -- imposing unique regulatory burdens not faced by any other agricultural operation in the State.

This bill will create new barriers to entry for minority and social equity licensees in the cannabis arena. By requiring these new licensees to divert resources toward responding to union organizing or collective bargaining obligations, the bill imposes an unwarranted additional burden for minority businesses to overcome. This is directly counterproductive to the legislative goal of lowering barriers to entry and promoting avenues for success for cannabis social equity applicants and licensees.

The Honorable Pam Beidle
March 11, 2026
Page Two

This bill creates potential regulatory conflicts in the cannabis industry. For interior grow/greenhouse workers in the cannabis industry, the legislature has already granted authority to the Maryland Cannabis Administration (MCA) authority to adopt “minimum standards for licensed growers to protect the rights of the growers and employees concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment.” See Section 36-402(e) Al. Bev. & Cann. Art., Ann. Code of Md. A separate grant of authority to Commissioner of Labor and Industry to regulate interior grow/greenhouse labor issues would seem to conflict with the authority granted to the MCA to regulate cannabis grower labor issues. Given the unique regulatory concerns regarding cannabis, the authority of the MCA in this area should prevail over any attempt to delegate labor issues to the Commissioner of Labor and Industry.

Further, proposed Section 4-703(A)(5) would authorize the Secretary of Labor to create procedures "for resolving an impasse between the parties." This provision is concerning because it seemingly contemplates that a third party—neither the employer nor the union—would dictate and impose terms that one or more parties were unwilling to voluntarily accept. While public-sector unions may resolve disputes through binding arbitration or similar mechanisms, such procedures are not imposed upon private-sector employers under the NLRA, where parties resolve disputes through continued bargaining or lawful strikes or lockouts. Introducing compulsory dispute resolution departs from long-established labor policy and subjects Maryland businesses to obligations exceeding those faced by counterparts in other states.

Additionally, the bill's heat stress provisions are unnecessary. Maryland has already implemented comprehensive heat stress regulations that apply to all workers. This bill imposes additional requirements for indoor grow/greenhouse workers that exceed existing statewide regulations. There is no policy reason to impose heightened requirements on one narrow subset of agricultural workers when comprehensive protections already exist. Workers in other agricultural settings, unconditioned warehouses, or outdoor environments may face equal or greater heat stress risks, making this arbitrary distinction counterproductive.

In sum, this bill is an unprecedented measure that seemingly singles out cannabis cultivators for special labor requirements not imposed on any other agricultural operations. It will create barriers to entry for social equity licensees, create potential regulatory conflicts, and duplicate existing heat stress protections unnecessarily. For the foregoing reasons, CANMD respectfully urges the Committee to issue an unfavorable report on Senate Bill 887.

Respectfully submitted,
Christina B. Johnson
Chair, CANMD

MDFB - Oppose - SB887 Labor and Employment - Green

Uploaded by: Tyler Hough

Position: UNF



Maryland Farm Bureau

3358 Davidsonville Road | Davidsonville, MD 21035
410-922-3426 | www.mdfarmbureau.com

March 11, 2026

To: Senate Finance Committee

From: Maryland Farm Bureau, Inc.

RE: **Opposition to SB887 Labor and Employment - Greenhouse Workers - Collective Bargaining and Heat Protection**

On behalf of the over 7,000 member families of the Maryland Farm Bureau, I submit written testimony in opposition to SB887 Labor and Employment - Greenhouse Workers - Collective Bargaining and Heat Protection. This legislation would impose collective bargaining mandates and new heat-related regulatory requirements on agricultural operations utilizing controlled-environment facilities such as greenhouses. While we strongly support safe working conditions and appreciate the intent to protect agricultural employees, the provisions in this bill create significant operational, financial, and regulatory challenges for Maryland growers who already operate within a highly constrained economic environment.

SB 887 establishes a new collective bargaining framework specifically for greenhouse employers, creating a regulatory system that differs from existing labor structures applied elsewhere in agriculture. Maryland's farmers, particularly those utilizing controlled-environment agriculture, already face steep costs related to energy, inputs, land, compliance, and labor. Imposing a unique and complex bargaining structure on greenhouse operations places these employers at a competitive disadvantage and increases uncertainty across the entire sector. Many of these businesses are small or family-run operations that lack the administrative or financial capacity to manage a formal, state-governed labor negotiation process. This bill may unintentionally push production out of Maryland or discourage future investment in controlled-environment agriculture.

Additionally, the bill creates a new heat-protection mandate requiring paid five-minute rest breaks for each hour that the indoor heat index reaches 90 degrees or more. Farmers share the goal of maintaining safe workplaces and already work diligently to do so, but this one-size-fits-all mandate does not account for the diversity of greenhouse structures, crop systems, automation technologies, or existing safety protocols. Many greenhouse operations employ climate-control technologies designed to manage heat and ventilation effectively, and others rely on crop-specific environments that do not align neatly with the threshold set in the bill. A rigid, hourly mandated break schedule may disrupt crop cycles, reduce productivity, and strain small labor crews, especially during planting and harvesting peaks. Maryland Occupational Safety and Health already have regulatory authority to address heat-related risks under existing law and layering an additional standard solely on greenhouse operations adds complexity and duplication.



Maryland Farm Bureau

3358 Davidsonville Road | Davidsonville, MD 21035

410-922-3426 | www.mdfarmbureau.com

In combination, the collective bargaining requirements and the new heat-protection mandates create a regulatory burden that is disproportionate, inflexible, and economically harmful to Maryland's agricultural sector. The Farm Bureau believes that policies intended to support worker safety and fair labor practices should be developed collaboratively, with broad stakeholder input, and with consideration for the diversity and realities of agricultural operations across the state. SB 887, as drafted, does not strike that balance.

For these reasons, the Maryland Farm Bureau respectfully urges an **unfavorable report** on SB 887.

A handwritten signature in black ink, appearing to read 'Tyler Hough', with a horizontal line above it.

Tyler Hough

Director of Government Relations

Please contact Tyler Hough, though@marylandfb.org, with any questions

LOI SB 887_HB 1108 (Greenhouse Workers - Heat Prot

Uploaded by: Marissa Yancone

Position: INFO

MARYLAND DEPARTMENT OF LABOR TESTIMONY ON SB 887

TO: Senate Finance Committee
FROM: Department of Labor
DATE: 03/09/2026
BILL: Senate Bill 887

MD LABOR POSITION: INFORMATIONAL

The Maryland Department of Labor respectfully submits this Letter of Information regarding Senate Bill 887 and its operational implications.

The Division of Labor and Industry includes Maryland Occupational Safety and Health (“MOSH”), the program that protects health and safety for Maryland workers in private and public sector establishments across the state.

Senate Bill 887 requires that employers operating “controlled-environment agricultural operations” provide employees with paid rest breaks of not less than five (5) minutes for each hour that the heat index in the work area reaches and maintains at least 90 degrees Fahrenheit. The rest break may be planned to coincide with an unpaid meal break, in which case the rest break would be unpaid. (See Section 5-1202, page 5, lines 5:29.)

In September 2024, MOSH promulgated a final regulation addressing heat illness prevention. That regulation, which appears at COMAR 09.12.32, includes certain “high-heat” measures that employers must take to protect workers performing tasks in areas where the heat index measures at least 90 degrees Fahrenheit. (See COMAR 09.12.32.08). The procedures direct employers to implement “a work and rest schedule to protect employees from heat-related illness” and provide several options.

One of those options is to institute a minimum rest period of 10 minutes for every two hours worked where employees are exposed to a heat index above 90 and below 100 degrees Fahrenheit, and a minimum rest period of 15 minutes for every hour worked where the exposure is to a heat index above 100 degrees Fahrenheit.

Employers may also choose to implement a break schedule recommended by the National Institute for Occupational Safety and Health (NIOSH). Work and rest schedules are required unless the employer can demonstrate effective heat management and protection from heat-related illness through alternative cooling and control measures.

The rest breaks provided in the bill do not materially change the total minimum rest period required when the heat index rises above 90 degrees and below 100 degrees, although the prescribes a frequency of each hour. Given the bill is drafted to prescribe minimum requirements, the longer break periods required by the existing regulation for workers exposed to a heat index over 100 degrees would remain in place. Although minor adjustments to guidance and training would be needed to implement this provision of the bill, MOSH can absorb those activities with existing resources.

The Department respectfully asks the Committee to consider this information, and is available to provide additional information or technical assistance as the Committee considers this legislation.

For questions, please contact Andrew Fulginiti at Andrew.Fulginiti@maryland.gov.

www.labor.maryland.gov