

Testimony for HB1108

Favorable

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

February 24, 2026

To: Honorable Chair Wells, Vice Chair Kerr, and the members of the
House Government, Labor, and Elections Committee

From: Kayla Mock, Political & Legislative Director

United Food and Commercial Workers Union Local 400

Chair Wells, Vice Chair Kerr, members of the House Government, Labor, and Elections 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 HB1108, 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.

HB1108 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 HB1108.