

CANMD

Maryland Wholesale
Cannabis Trade Association

February 26, 2026

The Honorable Melissa R. Wells
Chair, Government, Labor, and Elections Committee
Lowe House Office Building, Room 142
6 Bladen Street
Annapolis, MD 21401

RE: Unfavorable on House Bill 1108 – Labor and Employment – Greenhouse Workers – Collective Bargaining and Heat Protection

Dear Chair Wells:

The Maryland Wholesale Cannabis Trade Association (CANMD) thanks you for the opportunity to offer comments on House Bill 1108 – *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.

House Bill 1108 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

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lowering barriers to entry and promoting avenues for success for cannabis social equity applicants and licensees.

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 House Bill 1108.

Respectfully submitted,

Christina B. Johnson
Chair, CANMD