

Note: Some amendments are likely to be requested in order to clarify definitions and simplify process.

LC 3525
2023 Regular Session
1/27/22 (JAS/ps)

DRAFT

SUMMARY

Requires Oregon Liquor and Cannabis Commission to require applicant for cannabis-related license or license renewal to submit signed attestation that applicant will refrain from interfering with labor organizing efforts or submit attestation that applicant and labor organization that is certified to represent employees of applicant have entered into and will abide by terms of labor peace agreement.

A BILL FOR AN ACT

Relating to labor peace requirements as a condition for cannabis-related licensure.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 475C.005 to 475C.525.

SECTION 2. (1) As used in this section:

(a) “Labor dispute” has the meaning given that term in ORS 663.005.

(b) “Labor organization” means a bona fide organization of any kind, or an agency or an employee representation committee, group, association or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work, and which may be characterized by one or more of the following:

(A) Being a party to one or more collective bargaining agreements with an employer who holds a license issued under ORS 475C.005 to 475C.525.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(B) The adoption of organizational bylaws or a written constitution**
2 **as required by 29 U.S.C. 431 (a).**

3 **(C) The filing of annual financial reports as required by 29 U.S.C.**
4 **431 (b).**

5 **(D) Having a record of an audit of the financial reports described**
6 **in subparagraph (C) of this paragraph within the three years imme-**
7 **diately preceding the most recent filing of such reports.**

8 **(E) An affiliation with any regional or national association of labor**
9 **organizations.**

10 **(F) Membership in a national labor organization that has at least**
11 **500 general members throughout a majority of the United States.**

12 **(c) “Labor peace agreement” means an agreement entered into be-**
13 **tween an applicant for a license or renewal of a license issued under**
14 **ORS 475C.005 to 475C.525 and a labor organization certified to represent**
15 **the employees of the applicant under which:**

16 **(A) The applicant has agreed to remain neutral with respect to the**
17 **labor organization’s representatives communicating with the**
18 **applicant’s employees about the rights afforded to employees under**
19 **ORS 663.110; and**

20 **(B) The labor organization has agreed to refrain from engaging in**
21 **strikes, work stoppages, boycotts or other economic interference with**
22 **the applicant’s business to resolve a labor dispute.**

23 **(d) “Strike” has the meaning given that term in ORS 662.205.**

24 **(2) In addition to and not in lieu of any other requirement with**
25 **which an applicant for a license or renewal of a license issued under**
26 **ORS 475C.005 to 475C.525 must comply, the Oregon Liquor and**
27 **Cannabis Commission shall require an applicant to submit, along with**
28 **an application for a license or renewal of a license:**

29 **(a) A signed declaration or attestation stating that the applicant**
30 **will not interfere with communications from a representative of a la-**
31 **bor organization informing the employees of the applicant of the**

1 **rights afforded to employees under ORS 663.110; or**

2 **(b) An attestation signed by the applicant and the labor organiza-**
3 **tion certified to represent the employees of the applicant stating that**
4 **the applicant and the labor organization have entered into and will**
5 **abide by the terms of a labor peace agreement.**

6 **(3) Failure to comply with the requirements of subsection (2) of this**
7 **section or to abide by the terms of a labor peace agreement described**
8 **in subsection (2)(b) of this section is grounds for the commission to:**

9 **(a) Suspend or revoke a license issued under ORS 475C.005 to**
10 **475C.525.**

11 **(b) Deny an application for licensure or renewal of a license issued**
12 **under ORS 475C.005 to 475C.525.**

13 **SECTION 3. The requirements of section 2 of this 2023 Act apply to**
14 **applications for licenses and license renewals received by the Oregon**
15 **Liquor and Cannabis Commission on or after the effective date of this**
16 **2023 Act.**

17
