

Unionization Efforts Underway at Local Dispensary and Cultivation Workplaces

Description

Workers at Solar Therapeutics, a cannabis dispensary in Somerset, Massachusetts, voted last week to join the United Food and Commercial Workers (“UFCW”) union, after Solar Therapeutics’ management declined to voluntarily recognize the union.

“I am so proud of my coworkers for sticking together,” said one Solar employee about the vote. “We love our jobs and know that by forming our union, we will be able to build a better future for all of us here at Solar.” According to UFCW Local 328, workers at the Somerset dispensary voted 10-4 to join the union, after announcing their intention to unionize in August 2021, and said they would hold a vote through the National Labor Relations Board unless the company opted to recognize the union. The company declined to do so, and the vote was held. According to the UFCW’s website, the union now represents “tens of thousands” of cannabis workers nationwide.

Solar Therapeutics is not the first cannabis facility in the area to have union activity of late. In April 2021, workers at Greenleaf Compassionate Care Center, in Portsmouth, R.I. likewise voted to join the UFCW. The UFCW also represents workers at Ocean State Cultivation Center in Warwick, Rhode Island and Curaleaf in Hanover.

The UFCW’s prominence in the industry is further highlighted by New Jersey, where Gov. Phil Murphy has appointed a UFCW official to the state’s Cannabis Regulatory Commission, underscoring the union’s central role in the state’s new adult-use marijuana program. But UFCW’s efforts are not new – the union began a formal effort eight years ago, in 2013, called Cannabis Workers Rising, intended to increase unionization in the industry.

The UFCW has had a series of disputes with Massachusetts-based Curaleaf, one of the country’s largest marijuana companies, with respect to operations in Arizona, Massachusetts and New York. Unsurprisingly, cannabis union activity has been more common in states where labor traditionally has had a large presence, such as California, the Northeast, and certain parts of the Midwest.

The recent developments in both Rhode Island and Massachusetts mirror a nationwide trend of increasing union organizing in the growing industry. Union officials and labor experts typically point to a handful of factors impacting the organizing efforts: increasing employee concerns about workplace health and safety during the COVID-19 pandemic, more states mandating in their cannabis legalization regimes “labor peace agreements” that limit employers’ interference with organizing efforts, and aggressive targeting of the new industry by unions, particularly the UFCW. As to COVID-19’s impact, an employee at the Curaleaf dispensary in Hanover, Massachusetts, was quoted by Marijuana Business Daily last spring saying that workers there had previously considering unionizing but efforts became didn’t become serious until COVID-19 became widespread.

As the cannabis industry becomes more mature and if, as expected, additional states opt to legalize, one should expect further efforts in this regard by the UFCW and others.

Partridge Snow & Hahn’s [Cannabis Advisory Practice Blog](#) provides updates on marijuana law and policy, covering some of the risks and opportunities in the industry, and makes recommendations regarding best practices. **If you are interested in receiving these updates via email, please submit the form below:**

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