

# LABOR UNIONS AND THE CANNABIS INDUSTRY

HOW THE TEAMSTERS  
ARE ORGANIZING  
CANNABIS WORKERS  
WRITER | KIM KELLY





**T**he cannabis sector continues to expand, and the decriminalization and legalization of recreational marijuana seems poised to become a significant issue in the 2020 presidential race. Still, there are a number of challenges facing the people whose labor fuels this budding industry. Big investors and smaller-scale cannabis operators come from two different worlds, and as the industry collectively works to find its footing in a rapidly changing social and legal framework, some employees run the risk of being left behind.

The fact that recreational marijuana is still considered to be an illicit controlled substance on a federal level — especially in regard to the workplace — means that cannabis workers are unable to count on federal labor regulations to protect them and are susceptible to being targeted by law enforcement or having their workplaces raided. On top of that, some cannabis-related jobs, like trimming, are physically demanding and require hours of hard agricultural labor. In an industry that boasts more than 100,000 workers, these and other labor issues cannot be left to fester.

With that in mind, those workers who are looking to secure increased workplace protections, better health benefits and a seat at the table in the cannabis trade have begun looking to one of the American working class' most powerful and enduring allies: labor unions.

The cannabis industry — with its reputation for both happy-go-lucky stoners and, increasingly, venture capitalist startup types — may not seem like the first port of call for firmly established unions like the Teamsters, the United Farm Workers of America or the United Food & Commercial Workers Union, but all three organizations have made significant strides in organizing huge numbers of vulnerable workers therein.

United Farm Workers of America's national vice president Armando Elenes has said, "If you're a cannabis worker, the UFW wants to talk with you."

The Teamsters, in particular, have hit the ground running, which makes sense given the storied union's colorful history and reputation for steely resolve in the face of federal pressure. One may wonder how older, more conservative labor leaders have reacted to efforts to organize this still-stigmatized, federally illegal industry, but Teamsters organizer Kristin Heidelberg waved it off, telling DOPE, "We have had good support throughout our organization; these are the guys who really perfected alcohol distribution, so they really understand the concept of moving a product that was once illegal and underground."

According to Heidelberg, her union's decision to dip the toe of its work boots into the cannabis industry came down to the workers themselves. The campaign initially took hold in California, where Heidelberg is based. In September 2010, Teamsters organized the country's first group of unionized marijuana growers, following a May United Food & Commercial Workers campaign that saw the retail union add 100 new members from Oakland's medical marijuana dispensaries. When recreational cannabis legislation — Proposition 64 — passed in the state's legislature in November 2018, the union saw an opportunity to step in.

"With [the passing of Proposition 64], you had this massive network of workers and owners and people in an industry that are not represented at all, and they come across a number of different challenges," she says. "I've had people approach me that are dealing with pesticides that they don't want to handle, and they've got no protections when it comes to pay. This is a group of people that didn't have anybody to call when they had worker's issues."

“So, our concern as Teamsters was representing these people — not just from distribution, which is different in each state, but also the people transporting the product, the growers, the trimmers, the dispensary workers and the manufacturers,” she adds. “It was really about taking what was an underground, illicit market and helping them understand what kind of protection they could have in a legitimate business that’s operated above-ground. It’s all about education as well, because this is helping people understand what they can and can’t do to their workers.”

As Heidelberg noted, organizers in this particular field face unique challenges and evolving legal regulations that have less of an impact on most other unionized industries. Nonetheless, they have responded using old-school labor tactics, and while there has been disagreement between the three unions as to which one has the most jurisdiction over cannabis workers, they have kept the lines of communication between union offices open in service to the greater good.

By doing so, unions have made big gains in places like California, where the cannabis industry agreed to a labor peace agreement that requires businesses to remain neutral in worker organizing efforts, and Washington, where, in August 2018, UFCW Local 21 and the adult-use cannabis retailer Have a Heart made cannabis — and labor — history by signing the state’s first contract between a union and an adult-use cannabis retailer.

That same month, Teamsters organizers led a panel at the progressive powerhouse Netroots Nation conference advocating for collaboration and transparency across the nascent cannabis industry, and distribution driver and Local 853 member Richard Rodriguez spoke about his experience being arrested while transporting marijuana. He credited the Teamsters with helping have the charges dropped. “No one has ever offered me that kind of protection,” he said. “We need the Teamsters because they have those relationships.”

“As more states modernize their regulations, organizers are seeing increased access to vital medical treatment options, new opportunities for younger workers hurt by the War on Drugs and the growth of local economies across the country,” someone familiar with organizing efforts in the cannabis industry tells DOPE, who wishes to remain anonymous. “While many states are stepping up to modernize their regulations and embrace the potential that legal cannabis represents, there is still a stigma that has to be overcome. Organizers’ big-picture goal is increasing awareness about how this industry is creating good jobs that help workers provide for their families and contribute to their local communities.”

It’s impossible to talk about the cannabis industry without also discussing racial justice, migrant justice and social justice, and Heidelberg says that diversity comes up “every single day” in organizing conversations. She characterized diversity issues as being at the forefront of what they’re trying to accomplish via organizing, and noted the union’s support for state-run social equity programs in cities like San Francisco, Oakland and Los Angeles aimed at ensuring “that persons most harmed by cannabis criminalization and poverty be offered assistance to enter the multibillion-dollar industry as entrepreneurs or as employees with high-quality, well-paying jobs,” as the September 2018 legislation mandates.





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On a basic level, Heidelberg sees cannabis worker organizing as being just as much about education as it is advocacy.

“This culture is a very specific culture; it is changing, because as we legalize, we get more and more people looking to invest, and so you’ve got a different dynamic coming in,” Heidelberg explains. “I think that for the older original crowd of cannabis farmers and workers, educating them and helping them to understand what a labor union can actually do for them and what health and welfare is, and what a pension is, and being able to call somebody when you feel you’re put into an unsafe situation, and also people who are sometimes arrested — we can help with that.”

Ultimately, the success of this exciting new sector of the labor movement will come down to those whose desire to fight for a safer, more equitable workplace: the workers themselves. Even as the cannabis industry continues to grow and the stigma around the plant itself softens, cannabis workers across the country still have an uphill battle to climb to win the workplaces they deserve — but, by coming together, partnering with committed labor unions and exercising their collective power, they’re closer than ever to achieving that goal.

