Committee on Civil Service and Labor

Bianca Vitale, *Legislative Counsel*

Elizabeth Arzt, *Policy Analyst*

Nevin Singh, *Financial Analyst*



The Council of the City of New York

COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION

Jeffrey Baker, *Legislative Director*

Andrea Vazquez, *Deputy Director for Human Services*

COMMITTEE ON CIVIL SERVICE AND LABOR

Hon. I. Daneek Miller, *Chair*

November 23, 2021

**INT. NO. 2456:** The Speaker (Council Member Johnson)

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring labor peace agreement for certain city economic development projects

**ADMINISTRATIVE CODE:** Amends Chapter 1 of Title 6 by adding new section 6-146

**INTRODUCTION**

On November 22nd, 2021, the Committee on Civil Service and Labor, chaired by Council Member I. Daneek Miller, held a vote on Preconsidered Int. \_\_, in relation to requiring labor peace agreement for certain city economic development projects, sponsored by Speaker Corey Johnson. The Committee previously held a hearing on Introduction No. 2252, in relation to requiring city human services contractors to enter into labor peace agreements, on May 5, 2021. At the hearing, the Committee heard testimony from the Mayor’s Office of Policy and Planning, the New York City Economic Develop Corporation, labor unions, and other interested stakeholders and parties. On July 29, 2021, the Council passed an amended version of Proposed Introduction No. 2252-A, which required city human services contractors to enter into labor peace agreements, which on August 18, 2021 became Local Law 87 of 2021. On November 22, 2021, the Committee passed Preconsidered Int. \_\_\_ by a vote of six in the affirmative, zero in the negative, with zero abstentions.

**BACKGROUND**

*The Need for Labor Peace Agreements*

The COVID-19 pandemic and subsequent economic downturn has reinforced the importance of job and income security for workers. While unions and collective bargaining play essential roles in ensuring these rights for workers, union membership has been in steady decline since the 1970s, and has been exacerbated by the pandemic.[[1]](#footnote-2) 2020 marked the third year in a row that union membership fell in New York City to a rate of 22%.[[2]](#footnote-3) Recent reports of union-busting and interfering with workers’ attempts to organize present further obstacles to labor rights in the coming years.[[3]](#footnote-4)

Over the past several decades, unions have increasingly turned to legislation in order to protect their ability to organize and empower workers.[[4]](#footnote-5) A key form of this legislation occurs in the form of mandatory labor peace agreements.[[5]](#footnote-6) Labor peace agreements can vary widely, but generally involve concessions made by both employers and labor organizers to reach a consensus wherein workers can unionize freely so long as they abide by certain guidelines.[[6]](#footnote-7) While the United States has no federally mandated labor peace agreements, multiple municipalities, including New York City, have some form of law or ordinance requiring labor peace agreements in a given industry or sector.[[7]](#footnote-8)

*Labor Peace Agreements*

 Generally speaking, a labor peace agreement (LPA) is an arrangement between a labor union and an employer in which both sides agree to waive certain rights under federal law with regard to union organizing and related activity.[[8]](#footnote-9) During such agreements, employers agree to “maintain a neutral posture” at union efforts to organize employee, meaning they agree to not hinder or disrupt the organizing process, while the union in turn agrees to not go on strike or otherwise stop work.[[9]](#footnote-10) LPAs can be helpful to workers and unions in the unionization process, but likewise can benefit employers by ensuring work will continue regardless of labor negotiations.[[10]](#footnote-11)

Although many LPAs are negotiated voluntarily between unions and employers, often state and local governments will pass local ordinances to ensure LPAs as a condition of doing business at a facility or a project in which the government holds a “proprietary interest.”[[11]](#footnote-12) In other words, the government entity will require those doing business at a government location or those conducting business with the government while receiving financial assistance from it—including by receiving grants, loans, contracts, or as a part of a procurement policy—to sign an LPA with a union.[[12]](#footnote-13)

Often, the local laws specifically address what concessions employers are to make to unions; this can include recognizing the union by card check instead of a secret ballot election, remaining neutral to unionization, giving outside union organizers access to the workplace, and providing workers’ personal contact information to the union.[[13]](#footnote-14) These concessions are often actions that employers are not otherwise required to take or honor under the National Labor Relations Act (NLRA).[[14]](#footnote-15) In return for employers’ agreement to allow the above, unions are required by LPAs to agree that they will not strike, picket, or otherwise disrupt the workplace.[[15]](#footnote-16) The overall purpose of these labor peace ordinances is for the government to encourage employers to allow their workers to organize, while also ensuring that there will be minimal or no labor disruptions during that time.[[16]](#footnote-17)

*State and Local Labor Peace Ordinances*

Such labor peace ordinances have been passed in multiple jurisdictions nationwide and typically involve hotels, restaurants, casinos, other hospitality facilities, and airports, although “any facility that receives public funding or some other assistance from a nonfederal government entity” can be the subject of such a law.[[17]](#footnote-18) San Francisco, for example, has had LPAs as far back as 1980, when the San Francisco Redevelopment Agency required the Marriott corporation to sign an LPA to develop property on city-owned land.[[18]](#footnote-19) The agreement included both a card check recognition and a neutrality provision.[[19]](#footnote-20)

In 1998, San Francisco passed another labor peace ordinance, this one applicable to any hotel and restaurant project in which the city asserted a proprietary interest.[[20]](#footnote-21) In this case, “proprietary interest” included any situation in which the city “received significant ongoing revenue (such as rent) under a lease . . . ongoing payments to cover debt service . . . or the city agreed to underwrite or guarantee the development of a hotel or restaurant project” and any covered hotel or restaurant project was required to sign a card check agreement with any union that requested one.[[21]](#footnote-22) San Francisco additionally has labor peace ordinances covering airports contacts.[[22]](#footnote-23) Labor peace ordinances can be found in jurisdictions all over the country; they have, for example, also been enacted in Washington D.C., Pittsburgh, Baltimore, Los Angeles, Las Vegas, Portland, Minneapolis, Seattle, and more.[[23]](#footnote-24)

Currently, New York, along with Maryland, is one of only two states that has a state-issued labor peace law.[[24]](#footnote-25) New York State has its own labor peace law, which covers hotels and convention centers specifically.[[25]](#footnote-26) The law applies to a hotel or convention center which employs more than 15 people and in which a state agency asserts a proprietary interest.[[26]](#footnote-27) The law requires an LPA under which unions agree to “refrain from engaging in labor activity that will disrupt the hotel’s operations, including strikes, boycotts, work stoppages, corporate campaigns, picketing or other economic action against the covered project.”[[27]](#footnote-28)

*Labor Peace Agreements in New York City*

Much of the legal framework surrounding labor peace agreements in New York stems from legislation and executive orders issued at the state level. In addition to New York State’s labor peace law covering hotels and convention centers, the state also requires labor peace agreements as part of its 2021 legalization of recreational marijuana, and also had previously instated a requirement for medical marijuana establishments.[[28]](#footnote-29)

Local Law 87 of 2021 required City human services contractors and certain subcontractors to enter into labor peace agreements with labor organizations seeking to represent their employees rendering services under City human services contracts. During such agreements, employers agree to maintain a neutral posture at union efforts to organize employee, meaning they agree to not hinder or disrupt the organizing process, while the union in turn agrees to not go on strike or otherwise stop work.

The human service contracts impacted would include but are not limited to day care, foster care, home care, health or medical services, housing and shelter assistance, preventive services, youth services, the operation of senior centers, employment training and assistance, vocational and educational programs, legal services and recreation programs. The bill would exempt building service employees and subcontractors whose principal purpose is to provide supplies, or administrative services, technical support or other similar services that do not directly relate to the performance of human services.

No later than 90 days after the award or renewal of a human services contract, the contractor would be obligated to submit an attestation that 1) the employer has entered into one or more labor peace agreements with a labor organization, or 2) no labor organization has sought to represent their employees. Such attestation shall be updated annually.

The most prominent City-specific action on labor peace agreements in economic development projects thus far is Executive Order No. 19 of 2016, which was issued by Mayor Bill de Blasio on July 24, 2016.[[29]](#footnote-30) Executive Order No. 19, which required that certain developers of economic development projects receiving $1 million or more in financial assistance from the City requires large retail and food service tenants to enter into labor peace agreements with labor organizations seeking to represent employees working at these projects.[[30]](#footnote-31) The agreement must contain a neutrality provision for the employer with respect to an employee’s decision to join a union or not, as well as a commitment by the labor organization to refrain from picketing, work stoppages, boycotts, or other economic interference.[[31]](#footnote-32)

**ANALYSIS OF LEGISLATION**

***Analysis of Int. 2456***

*A Local Law to amend the administrative code of the city of New York* *in relation to requiring labor peace agreement for certain city economic development projects*

This bill would require city financial assistance recipients, tenants, subtenants, leaseholders or subleaseholders who occupies property improved or developed with city financial assistance; or certain persons performing services pursuant to a contract or subcontract for a city financial assistance recipient or a tenant, subtenant, leaseholder or subleaseholder of a city financial assistance recipient to enter into labor peace agreements with labor organizations seeking to represent employees, other than a building service employee or construction employee, working at a retail or food service establishment or a distribution center located on property within the city that has been improved or developed using city financial assistance. During such agreements, employers agree to maintain a neutral posture at union efforts to organize employee, meaning they agree to not hinder or disrupt the organizing process, while the union in turn agrees to not go on strike or otherwise stop work.

 No later than 90 days after the operational commencement date, the covered employer would be obligated to submit an attestation that 1) the employer has entered into one or more labor peace agreements with a labor organization, or 2) no labor organization has sought to represent their employees. Such attestation shall be updated annually.

The bill would take effect 120 days after it becomes law.

Update

On November 22, 2021, the Committee passed Preconsidered Int. \_\_\_ by a vote of six in the affirmative, zero in the negative, with zero abstentions.

 Int. No. 2456

By The Speaker (Council Member Johnson)

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring labor peace agreement for certain city economic development projects

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-146 to read as follows:

§ 6-146 Labor peace agreements for certain city economic development projects. a. Definitions. For the purposes of this section, the following terms have the following meanings:

As-of-right assistance. The term “as-of-right assistance” means any financial assistance that is available to all persons who meet the criteria used to determine the allocation of such financial assistance, and any financial assistance provided to a person the amount of which is calculated based on an evaluation of the financial assistance that a person would have been eligible for under such a program. The term “as-of-right assistance” includes, but is not limited to, financial assistance that is limited by the availability of funds and is distributed on a first come, first serve basis or on any other non-discretionary basis.

Brooklyn navy yard entity. The term “Brooklyn navy yard entity” means any not-for-profit organization that contracts with the city to lease or operate the area encompassing block 2023, lots 1, 50 and 150 in Kings county, commonly known as the Brooklyn navy yard.

Building service employee. The term “building service employee” means any person, the majority of whose employment consists of performing work in connection with the care or maintenance of a building or other property, including but not limited to a watchperson, guard, doorperson, building cleaner, porter, handyperson, janitor, gardener, groundskeeper, stationary fireman, elevator operator and starter, or window cleaner.

City economic development entity. The term “city economic development entity” means a not-for-profit organization that provides or administers economic development benefits on behalf of the city, as described by paragraph b of subdivision 1 of section 1301 of the charter, except that the term “city economic development entity” shall not include any Brooklyn navy yard entity.

City financial assistance. The term “city financial assistance” means financial assistance, other than as-of-right assistance, that is provided directly by the city or by a city economic development entity using funds provided in whole or in part by the city to a person for the improvement or development of property and that, at the time the city financial assistance recipient enters into a project agreement with the city or city economic development entity, is expected to have a total present financial value of at least $ 500,000, which amount shall be adjusted on July 1 of each year commencing on July 1, 2022, based upon the 12-month percentage increases, if any, in the price index for the most recent 12-month period for which data is available. Where financial assistance takes the form of leasing property at below-market lease rates, for the purpose of determining whether such financial assistance constitutes city financial assistance, the value of the financial assistance shall be determined based on the difference in cost between the lease for the property and a market lease for a similar property. Where financial assistance takes the form of loans, bond financing or tax increment financing, for the purpose of determining whether such financial assistance constitutes city financial assistance, the value of the financial assistance shall be determined based on the difference between the financing costs to a borrower and the costs to a similar borrower who does not receive financial assistance from the city or a city economic development entity.

City financial assistance recipient. The term “financial assistance recipient” means any person that receives city financial assistance, except that the term “financial assistance recipient” shall include neither a city economic development entity nor a Brooklyn navy yard entity.

Comptroller. The term “comptroller” means the comptroller of the city.

Construction employee. The term “construction employee” means a person employed to perform labor of a type that the comptroller has identified in a published schedule as a classification of work performed by laborers, workmen or mechanics pursuant to section 220 of the labor law, regardless of whether such labor constitutes public work pursuant to such section.

Covered employee. The term “covered employee” means an employee, other than a building service employee or construction employee, working at a retail or food service establishment or a distribution center, provided that:

1. Such work involves the retail or food service establishment or distribution center’s regular business operations; and

2. Such retail or food establishment or distribution center is located on property within the city that has been improved or developed using city financial assistance.

Covered employer. The term “covered employer” means a person that employs covered employees and that is any of the following:

1. A city financial assistance recipient;

2. A tenant, subtenant, leaseholder or subleaseholder of a city financial assistance recipient who occupies property improved or developed with city financial assistance; or

3. A person performing services pursuant to a contract or subcontract:

(a) For a city financial assistance recipient or a tenant, subtenant, leaseholder or subleaseholder of a city financial assistance recipient;

(b) At a property that has been improved or developed with city financial assistance;

(c) For an amount in excess of $500,000, which amount shall be adjusted on July 1 of each year commencing on July 1, 2022, based upon the twelve-month percentage increases, if any, in the price index, for the most recent twelve-month period for which data is available; and

(d) For a period of more than 90 days.

Distribution center. The term “distribution center” means a warehouse, distribution center, sortation facility, fulfillment center or any other building stocked with products or goods to be redistributed to retailers, to wholesalers, or directly to consumers and at which 20 or more employees are employed on the premises, except that the term “distribution center” shall not include any such facility used primarily for the storage or distribution of goods owned or manufactured by the person operating such facility or any affiliate of such person, provided that the business operations of such person and any affiliates within the city primarily involve the sale of goods owned or manufactured by such person or any affiliate.

Financial assistance. The term “financial assistance” means assistance provided to a person through an agreement with the city or a city economic development entity that consists of:

1. A cash payment or grant, including but not limited to a payment for costs associated with environmental remediation of or capital improvements to a property;

2. A loan, bond financing, or tax increment financing;

3. A tax abatement, credit, or exemption, including, but not limited to, an abatement or exemption from real property, mortgage recording, sales and use taxes, or the difference between a payment in lieu of taxes and the amount of real property or other taxes that would have been due if the property or taxpayer were not exempted from the payment of such taxes, provided that such tax abatement, credit, or exemption is provided in conjunction with a lease, grant, cash payment, loan, bond financing, or tax increment financing; or

4. A write-down in the market value of a building, land, or lease.

Hunts Point city property. The term “Hunts Point city property” means any city-owned property located in the blocks 2770, 2775, 2778, 2780, or 2781 in Bronx county.

Labor organization. The term “labor organization” has the same meaning as set forth in subdivision (5) of section 152 of title 29 of the United States code.

Labor peace agreement. The term “labor peace agreement” means an agreement between a covered employer and a labor organization that seeks to represent individuals who perform one or more classes of work at a distribution center or retail or food service establishment located on a property improved or developed with city financial assistance, where such agreement:

1. Requires that the covered employer and the labor organization and its members agree to the uninterrupted performance of work on the property improved or developed with city financial assistance and to refrain from actions intended to or having the effect of interrupting such work; and

2. Includes any other terms required by rules promulgated pursuant to subdivision g of this section.

Not-for-profit organization. The term “not-for-profit organization” means an entity that is either incorporated as a not-for-profit corporation under the laws of the state of its incorporation or exempt from federal income tax pursuant to subdivision c of section 501 of the United States internal revenue code.

Operational commencement date. The term “operational commencement date” means:

1. With respect to a city financial assistance recipient, the project commencement date; and

2. With respect to a covered employer that is not a city financial assistance recipient, the date upon which such covered employer commences business operations at a project, as further defined by a rule promulgated pursuant to subdivision g of this section.

Price index. The term “price index” means a price index published by the bureau of labor statistics of the United States department of labor and selected pursuant to a rule promulgated pursuant to subdivision g of this section.

Project. The term project means a development or improvement for which city financial assistance is provided.

Project agreement. The term “project agreement” means a written agreement between the city or a city economic development entity and a city financial assistance recipient through which city financial assistance is provided.

Project commencement date. The term “project commencement date” means the date on which a city financial assistance recipient commences operations at a project, as further defined by a rule promulgated pursuant to subdivision g of this section.

Property. The term “property” means real property and does not include personal property or any other intangible form of property.

Retail or food service establishment. The term “retail or food service establishment” means any retail store selling goods, any food services establishment, and any establishment that is required to have a license to sell liquor pursuant to the alcohol beverage control law, provided that:

1. Such store or establishment offers goods or services primarily to members of the general public; and

2. 10 or more employees are employed on the premises of such store or establishment.

Small business. The term “small business” means a firm that does not exceed the small business size standards established for its industry by the United States small business administration.

b. 1. No later than 90 days after the operational commencement date, a covered employer shall either:

(a)   submit an attestation to the city or city economic development entity that provided the applicable city financial assistance, signed by one or more labor organizations, as applicable, stating that the covered employer has entered into or is negotiating one or more labor peace agreements, as applicable, with such labor organizations, and identify: (i) the classes of covered employees to whom the labor peace agreements apply, (ii) the classes of covered employees not currently represented by a labor organization and that no labor organization has sought to represent, and (iii) the classes of covered employees for which labor peace agreement negotiations have not yet concluded; or

(b) submit an attestation to the city or city economic development entity stating that the covered employer’s covered employees are not currently represented by a labor organization and that no labor organization has sought to represent such covered employees.

2. Where a labor organization seeks to represent the covered employees of a covered employer after the expiration of the 90-day period following the operational commencement date, or after the covered employer has submitted an attestation pursuant to paragraph 1 of this subdivision, whichever occurs first, and the labor organization has provided notice to the city or city economic development entity that provided the city financial assistance, as applicable, and the covered employer regarding such interest, the covered employer shall no later than 90 days after the date of notice submit an attestation signed by the labor organization to the city or city economic development entity, as applicable, stating that it has entered into a labor peace agreement with such labor organization or that labor peace agreement negotiations have not yet concluded.

3. The city or a city economic development entity, as applicable, may, pursuant to the terms of a project agreement, require a city financial assistance recipient to receive and transmit to the city or a city economic development entity any such attestations required to be made pursuant to this subdivision by covered employers operating on the project.

c. The requirements of subdivision b and paragraphs 1 through 3 of subdivision e of this section shall apply for the term of the project agreement or for 10 years, whichever is longer. Such 10 year period shall be calculated as starting at the project commencement date.

d. 1. The requirements established under paragraphs 1 and 2 of subdivision b and paragraph 2 of subdivision e of this section shall not apply to the following persons:

(a) Any firm that constituted a small business during the prior calendar year; or

(b) Any not-for-profit organization.

2. The requirements established under paragraphs 1 and 2 of subdivision b and paragraph 2 of subdivision e of this section shall not apply to:

(a) Any retail or food service establishment or distribution center operating at a project:

(1) in which residential units subject to a regulatory agreement with one or more federal, state, or local government agencies comprise more than 75% of the project area, and such regulatory agreement requires that no less than 75% of the residential units located at the project are affordable for households earning on average less than 125% of the area median income; or

(2) in which residential units comprise more than 75% of the project area, and all such residential units are subject to a regulatory agreement with one or more federal, state, or local government agencies the term of which govern the affordability of such residential units;

(b) Any retail or food service establishment or distribution center operating at the hunts point city property; or

(c) Any retail or food service establishment or distribution center operating at a project for which the principal industry conducted on the property is or will be manufacturing, as defined by the North American industry classification system.

e. 1. Each city financial assistance recipient shall provide to the comptroller and the city or city economic development entity that executed the project agreement an annual certification:

(a) confirming notification to all employers operating on the property improved or developed with city financial assistance that employers must comply with all requirements of this section, as applicable;

(b) providing the names, addresses and telephone numbers of such employers; and

(c) affirming the city financial assistance recipient’s obligation to assist the city to investigate and to remedy non-compliance by any employers.

2. Prior to commencing work at a property improved or developed with city financial assistance, each covered employer not subject to an exemption pursuant to subdivision d of this section shall provide to the comptroller and the city or city economic development entity that executed the project agreement a statement agreeing to comply with the requirements of this section, provided that the city or city economic development may instead, pursuant to the terms of a project agreement, require a city financial assistance recipient to collect and transmit such statements for all covered employers operating on such project. All such statements shall be certified by the chief executive or chief financial officer of the covered employer, or the designee of any such person. A violation of any provision of such certified statements shall constitute a violation of this section.

3. A person who qualifies for an exemption pursuant to subdivision d of this section shall provide to the comptroller and the city or city economic development entity that executed the project agreement a certification indicating the exception that such person qualifies for and specifying the basis for that exemption. Such person shall update or withdraw such certification on a timely basis if such person’s eligibility for the claimed exemption changes.

4. The comptroller and city or city economic development entity that executed the project agreement shall maintain each certification submitted pursuant to this subdivision and make such certifications available for public inspection until the sixth anniversary of the conclusion of the term of the project agreement.

f. 1. The comptroller shall monitor the city financial assistance recipients’ and covered employers’ compliance with the requirements of this section. Whenever the comptroller has reason to believe there has been a violation of this section, or upon a verified complaint in writing from an interested party, the comptroller shall conduct an investigation to determine the facts relating thereto. Based upon such investigation, hearing and findings, the comptroller shall report the results of such investigation and hearing to the mayor. Based on the comptroller’s report or any other information available to the mayor, the mayor may, after providing the city financial assistance recipient or covered employer an opportunity to cure any violations, where appropriate, issue an order, determination or other disposition. Such disposition may:

(a) Direct the filing of any records as required by this section;

(b) Direct the imposition of sanctions against the city financial assistance recipient or covered employer in accordance with rules promulgated pursuant to subdivision g;

(c) Direct the imposition of any contractual remedies available to the city or the city economic development entity under the applicable project agreement; or

(d) Declare the applicable city financial assistance recipient in default of the project agreement.

In assessing an appropriate remedy, due consideration shall be given to the gravity of the violation, the history of previous violations, the good faith of the city financial assistance recipient or covered employer and the failure to comply with recordkeeping, reporting, or other requirements.

2. Before issuing an order, determination or any other disposition, the mayor shall give notice thereof, together with a copy of the complaint, which notice shall be served personally or by mail on any person affected thereby. The mayor may negotiate an agreed upon stipulation of settlement or refer the matter to the office of administrative trials and hearings for a hearing and recommended disposition. Such city financial assistance recipient’s or covered employer shall be notified of a hearing date by the office of administrative trials and hearings, and shall have the opportunity to be heard in respect to such matters.

g. The mayor shall promulgate implementing rules and regulations, as appropriate and consistent with this section, and may delegate such authority to the comptroller.

§ 2. (a) This local law takes effect 120 days after it becomes law, provided that this local law shall not apply to any project for which the project agreement was entered into prior to the effective date of this local law or any tenancy, subtenancy, lease, sublease, contract or subcontract entered into prior to the effective date of this local law, and provided further that the mayor, or the mayor’s delegee, may promulgate any rules necessary for implementation of this local law and take any other measures as are necessary for its implementation, prior to such date.

(b) For the purpose of this section, the terms “project” and “project agreement” shall be defined in accordance with the definitions in section 6-146 of the administrative code of the city of New York.

1. *New York Times Data Points*, “The Shrinking American Union”, Feb. 7, 2015, available at: https://www.nytimes.com/2015/02/08/business/the-shrinking-american-labor-union.html [↑](#footnote-ref-2)
2. Madore James T.,“Union Membership Falls In New York City For The Third Year,” *Newsday*, Jan. 26, 2021, available at: https://www.newsday.com/business/coronavirus/union-membership-labor-jobs-employment-1.50131887 [↑](#footnote-ref-3)
3. Streitfield, David, “How Amazon Crushes Unions,” *NYTimes,* Mar. 16, 2021, Available at: https://www.nytimes.com/2021/03/16/technology/amazon-unions-virginia.html [↑](#footnote-ref-4)
4. *Labor Peace Agreements*, U.S. Chamber of Commerce, 2016, *available at* <https://www.uschamber.com/sites/default/files/documents/files/laborpeaceagreements.pdf>. [↑](#footnote-ref-5)
5. *Id.* [↑](#footnote-ref-6)
6. *Id.* [↑](#footnote-ref-7)
7. *Id.* [↑](#footnote-ref-8)
8. *Id.* [↑](#footnote-ref-9)
9. *See* David Wirtz, *Certain Large New York City Employers Must Enter Labor Peace Agreements*, SHRM, Aug. 15, 2015, *available at* <https://www.shrm.org/resourcesandtools/legal-and-compliance/state-and-local-updates/pages/nyc-labor-peace-agreements.aspx>. [↑](#footnote-ref-10)
10. *See Union Organizing in the Cannabis Industry: What Every Cannabis Employer Should Know about Labor Peace Agreements*, FisherPhillips, May 29, 2020, *available at* <https://www.fisherphillips.com/news-insights/union-organizing-in-the-cannabis-industry-what-every-cannabis-employer-should-know-about-labor-peace-agreements.html#:~:text=A%20labor%20peace%20agreement%20(LPA,strike%20or%20otherwise%20stop%20work>.. [↑](#footnote-ref-11)
11. *Labor Peace Agreements*, U.S. Chamber of Commerce, 2016, *available at* <https://www.uschamber.com/sites/default/files/documents/files/laborpeaceagreements.pdf>. [↑](#footnote-ref-12)
12. *Id.* at 6. [↑](#footnote-ref-13)
13. *Id.* at 3 and 4. [↑](#footnote-ref-14)
14. *Id.* at 3. [↑](#footnote-ref-15)
15. *Id.* at 5. [↑](#footnote-ref-16)
16. *Id.* at 5. [↑](#footnote-ref-17)
17. *Id.* at 4. [↑](#footnote-ref-18)
18. *Id.* at 5. [↑](#footnote-ref-19)
19. *Id.* at 5. [↑](#footnote-ref-20)
20. *Id.* at 5. [↑](#footnote-ref-21)
21. *Id.* at 4. [↑](#footnote-ref-22)
22. *Id.* at 14. [↑](#footnote-ref-23)
23. *Id.* at 13-15. [↑](#footnote-ref-24)
24. *Id.* at 13. [↑](#footnote-ref-25)
25. *Id*. at 9. [↑](#footnote-ref-26)
26. *Id.* at 9. [↑](#footnote-ref-27)
27. *Id.* at 9. [↑](#footnote-ref-28)
28. *New York’s Adult Use Cannabis Law: Embracing Labor Peace Agreements*, JD Supra, Apr. 29, 2021, *available at* <https://www.jdsupra.com/legalnews/new-york-s-adult-use-cannabis-law-1192749/>; Collins, Patrick M, *New York Legalizes Recreational Marijuana: Altered States for Employers*, National Law Review, Apr. 9, 2021, *available at* <https://www.natlawreview.com/article/new-york-legalizes-recreational-marijuana-altered-states-employers>. [↑](#footnote-ref-29)
29. *Executive Order No. 16*, City of New York Office of the Mayor, Jul. 14, 2016, *available at* <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2016/eo_19.pdf/>. [↑](#footnote-ref-30)
30. *Executive Order No. 16*, City of New York Office of the Mayor, Jul. 14, 2016, *available at* <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2016/eo_19.pdf/>. [↑](#footnote-ref-31)
31. *Id.* [↑](#footnote-ref-32)