

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 01**

**TOROVERDE (MASSACHUSETTS), INC. D/B/A
CHEECH AND CHONG DISPENSORIA**

Employer

and

Case 01-RC-369652

**INTERNATIONAL BROTHERHOOD OF TEAMSTERS
LOCAL 404**

Petitioner

**TOROVERDE (MASSACHUSETTS) II, INC. D/B/A
CHEECH AND CHONG DISPENSORIA**

Employer

and

Case 01-RC-369662

**INTERNATIONAL BROTHERHOOD OF TEAMSTERS
LOCAL 404**

Petitioner

DECISION AND DIRECTION OF ELECTIONS¹

ToroVerde (Massachusetts), Inc. d/b/a Cheech and Chong Dispensoria and ToroVerde (Massachusetts) II, Inc. d/b/a Cheech and Chong Dispensoria (the Employers) produce and sell cannabis and cannabis-related products. International Brotherhood of Teamsters Local 404 (the Petitioner) has filed two petitions seeking to represent two bargaining units at two of the Employers' locations.

In Case 01-RC-369652, the Petitioner seeks to represent the following unit of approximately seven employees at the "Northampton facility:"

¹ I have the authority to hear and decide these matters on behalf of the Board under Section 3(b) of the Act; the petitions in these cases were filed under Section 9(c) of the Act. The parties were provided opportunity to present evidence on the issues raised by the petition at a hearing held before a hearing officer of the National Labor Relations Board (the Board).

Included: All full-time and regular part-time budtenders, lead budtenders, and inventory employees employed by the Employer at its Northampton, Massachusetts facility.

Excluded: All office clerical employees, confidential employees, managers, guards, professional employees, and supervisors as defined in the Act.

In Case 01-RC-369662, the Petitioner seeks to represent the following unit of approximately nine employees at the “Greenfield facility:”

Included: All full-time and regular part-time budtenders, lead budtenders, and inventory employees employed by the Employer at its Greenfield, Massachusetts facility.

Excluded: All office clerical employees, confidential employees, managers, guards, professional employees, and supervisors as defined in the Act.

The parties stipulate, and I find, that these bargaining units are appropriate under the Act.

On July 30, 2025², the Regional Director approved stipulated election agreements in these matters. The agreements provided that the elections would be conducted manually at the Greenfield facility on Wednesday, August 13 and at the Northampton facility Thursday, August 14. The agreements also provided for the elections to be conducted at a place to be determined by the Regional Director.

Following subsequent conversations with the parties, on August 6, 2025, the Region issued Notices of Elections specifying that the election sites would be tents erected on the Employers’ premises, which the Region understood would be suitable for the elections. Thereafter, the Region learned that the parking lots would be in regular use by other establishments during the voting times and would not sufficiently ensure voter privacy. The parties were unable to agree on alternative sites with the required laboratory conditions. Accordingly, on August 12, the undersigned issued Orders Revoking Approval of Stipulated Election Agreement and Cancelling Election and on August 14, I issued an Order Consolidating Cases and Rescheduling Hearing.

The only matter in contention is whether to conduct manual or mail ballot elections. The Employers take the position that the elections should be held manually because in-person voting would result in higher voter turnout. The Petitioner takes the position that because a manual election was cancelled after suitable voting places could not be located, the integrity of the voting process has been undermined and can best be restored via a mail ballot election which would guard against further procedural failures.

Due to the absence of suitable locations to hold manual elections, I find that prompt mail ballot elections are appropriate.

² All dates are 2025.

FACTS

Due to the business the Employers conduct at their Northampton and Greenfield facilities, certain regulations of the Commonwealth of Massachusetts Cannabis Control Commission apply. Specifically, these regulations require that there be video recording of all activities occurring at the facilities; as a result, there is no location within the Employers' facilities where polling could be conducted without employees being monitored by video recording.

The Employers propose that polling be conducted in tents that are already owned by the Employers erected in parking lots adjacent to the facilities.³

Cameras are also posted outside the Employers' facilities, and at the hearing the Employers were unable to establish to what extent the cameras capture activity within the parking lots. However, the Employers assert that four-sided tents would give voters sufficient privacy even if the tents themselves were captured by the cameras.

No party takes the position that manual elections held away from the Employer's premises would properly enfranchise the voters. Rather, the Employer argues that the elections should be held in the parking lots while the Petitioner requests mail-ballot elections.

ANALYSIS

The Act is silent on the location of elections and the Board must exercise its discretion to determine appropriate election sites. *2 Sisters Food Group, Inc.*, 357 NLRB 1816, 1819 (2011) (citing *Austal*, 357 NLRB at 330). The Board has vested Regional Directors with discretion to choose the election site. *2 Sisters*, 357 NLRB at 1819 (citing *Austal*, 357 NLRB at 330; *Manchester Knitted Fashions, Inc.*, 108 NLRB 1366, 1366 (1954)). The Board instructs Regional Directors to give consideration to "their direct appraisal of the physical layout and other factors that they may deem appropriate to consider on a case-by-case basis." *2 Sisters*, 357 NLRB at 1819. Non-binding guidance from the Representation Casehandling Manual states "[t]he best place to hold an election, from the standpoint of accessibility to voters, is somewhere on the employer's premises. In the absence of good cause to the contrary, the election should be held there." It further explains that "[w]hether the election is held on or off the employer's premises, the actual polling place, if feasible, should be spatially and visually separated from the scene of any other activity during the voting period." NLRB Casehandling Manual (Part Two) Representation Proceedings, Sec. 11302.2.

Here, the Employers' facilities are not appropriate polling locations due to cameras which would give voters the impression that their activities are being monitored. The Employer's proposed alternate locations raise similar concerns. Although the Employer maintains that a four-

³ Specifically, the Employers propose a parking lot to the left of the Greenfield facility. This parking lot—in contrast to the parking lot to the right of the Greenfield facility—is solely in control of the Employer, and could be blocked off entirely for the exclusive use of voting at the election.

With respect to the Northampton facility, which shares its only parking lot with other businesses in a strip mall, the Employers suggest that they would be able to sequester the end of the parking lot for the exclusive use of the election.

sided tent would sufficiently protect voters' privacy, the external cameras would still create the impression that the election is being recorded as voters walk to and from the polls. A camera need not be placed inside the voting booth itself to be inherently coercive.

Further, one of the parking lots proposed by the Employers is not under the Employers' sole control. A small parking lot shared by other businesses in a strip mall is subject to the competing needs of multiple stakeholders. This may result in insufficient space, insufficient voter privacy, insufficient voter safety, or a second cancellation of the election.

Accordingly, in the absence of appropriate locations which are agreeable to all parties, I am directing mail ballot elections.

CONCLUSION

Based upon the entire record in this matter and in accordance with the discussion above, I conclude and find as follows:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.
2. The Employers are engaged in commerce within the meaning of the Act, and it will effectuate the purposes of the Act to assert jurisdiction herein.⁴
3. The Petitioner is a labor organization within the meaning of Section 2(5) of the Act and claims to represent certain employees of the Employers.
4. A question affecting commerce exists concerning the representation of certain employees of the Employers within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.
5. There is no contract bar or other bar to election in this matter.

⁴ The Employer in 01-RC-369652, ToroVerde (Massachusetts), Inc. d/b/a Cheech and Chong Dispensoria, a Massachusetts corporation with a place of business located at 26-28 North King Street, Northampton, Massachusetts ("the Northampton facility") is engaged in the production and retail sales of cannabis and cannabis-related products. Annually, the Employer deprives gross revenues in excess of \$500,000 and purchases and receives at its Northampton facility goods valued in excess of \$50,000 directly from points located outside the Commonwealth of Massachusetts.

The Employer in 01-RC-369662, ToroVerde (Massachusetts) II, Inc. d/b/a Cheech and Chong Dispensoria, a Massachusetts corporation with a place of business located at 51 Davis Street, Greenfield, Massachusetts ("the Greenfield facility") is engaged in the production and retail sales of cannabis and cannabis-related products. Annually, the Employer deprives gross revenues in excess of \$500,000 and purchases and receives at its Greenfield facility goods valued in excess of \$50,000 directly from points located outside the Commonwealth of Massachusetts.

6. The following employees of the Employers constitute units appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act:

In Case 01-RC-369652:

Included: All full-time and regular part-time budtenders, lead budtenders, and inventory employees employed by the Employer at its Northampton, Massachusetts facility.

Excluded: All office clerical employees, confidential employees, managers, guards, professional employees, and supervisors as defined in the Act.

In Case 01-RC-369662:

Included: All full-time and regular part-time budtenders, lead budtenders, and inventory employees employed by the Employer at its Greenfield, Massachusetts facility.

Excluded: All office clerical employees, confidential employees, managers, guards, professional employees, and supervisors as defined in the Act.

DIRECTION OF ELECTIONS

The National Labor Relations Board will conduct secret ballot elections among the employees in the units found appropriate above. Employees will vote whether or not they wish to be represented for purposes of collective bargaining by INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 404.

A. Election Details

The elections will be held via United States Mail.

The ballots will be mailed to employees employed in the appropriate collective-bargaining units. At 5:00 p.m. on **Friday, September 12, 2025**, ballots will be mailed to voters from the National Labor Relations Board, Subregion 34, AA Ribicoff Federal Building, 450 Main Street, Suite 410, Harford, Connecticut. Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void.

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by **Friday, September 19, 2025**, should communicate immediately with the National Labor Relations Board by either calling the Subregion 34 Office at (860)240-3522 or our national toll-free line at 1-844-762-6572.

All ballots will be commingled and counted at the Subregional Office on **Tuesday, September 30, 2025**, at 2:00 p.m. In order to be valid and counted, the returned ballots must be received in the Subregional Office, prior to the counting of the ballots.

B. Voting Eligibility

Eligible to vote are those in the units who were employed during the payroll period ending **Sunday, August 17, 2025**, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. In a mail ballot election, employees are eligible to vote if they are in the unit on both the payroll period ending date and on the date they mail in their ballots to the Board's designated office.

Employees engaged in an economic strike, who have retained their status as strikers and who have not been permanently replaced, are also eligible to vote. In addition, in an economic strike that commenced less than 12 months before the election date, employees engaged in such strike who have retained their status as strikers but who have been permanently replaced, as well as their replacements, are eligible to vote. Unit employees in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are (1) employees who have quit or been discharged for cause since the designated payroll period, and, in a mail ballot election, before they mail in their ballots to the Board's designated office; (2) striking employees who have been discharged for cause since the strike began and who have not been rehired or reinstated before the election date; and (3) employees who are engaged in an economic strike that began more than 12 months before the election date and who have been permanently replaced.

C. Voter Lists

As required by Section 102.67(l) of the Board's Rules and Regulations, the Employers must provide the Regional Director and parties named in this decision a list of the full names (that employees use at work), work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available home and personal cell telephone numbers) of all eligible voters for each bargaining unit.

To be timely filed and served, the lists must be *received* by the regional director and the parties by Tuesday, September 9, 2025. The lists must be accompanied by a certificate of service showing service on all parties. **The region will no longer serve the voter list.**

Unless the Employers certifies that it does not possess the capacity to produce the lists in the required form, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. Because the list will be used during the election, the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015.

When feasible, the lists shall be filed electronically with the Region and served electronically on the other parties named in this decision. The lists may be electronically filed with the Region by using the E-filing system on the Agency's website at www.nlr.gov. Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions.

Failure to comply with the above requirements will be grounds for setting aside the election whenever proper and timely objections are filed. However, the Employers may not object to the failure to file or serve the list within the specified time or in the proper format if it is responsible for the failure.

No party shall use the voter lists for purposes other than the representation proceeding, Board proceedings arising from it, and related matters.

D. Posting of Notices of Election

Pursuant to Section 102.67(k) of the Board's Rules, each Employer must post copies of the Notice of Election accompanying this Decision in conspicuous places, including all places where notices to employees in the unit found appropriate are customarily posted. The Notices must be posted so all pages of the Notices are simultaneously visible. In addition, if the Employers customarily communicates electronically with some or all of the employees in the unit found appropriate, the Employers must also distribute the Notice of Election electronically to those employees. The Employers must post copies of the Notice at least 3 full working days prior to 12:01 a.m. of the day of the election and copies must remain posted until the end of the election. For purposes of posting, working day means an entire 24-hour period excluding Saturdays, Sundays, and holidays. However, a party shall be estopped from objecting to the nonposting of notices if it is responsible for the nonposting, and likewise shall be estopped from objecting to the nondistribution of notices if it is responsible for the nondistribution. Failure to follow the posting requirements set forth above will be grounds for setting aside the election if proper and timely objections are filed.

RIGHT TO REQUEST REVIEW

Pursuant to Section 102.67 of the Board's Rules and Regulations, a request for review may be filed with the Board at any time following the issuance of this Decision until 10 business days after a final disposition of the proceeding by the Regional Director. Accordingly, a party is not precluded from filing a request for review of this decision after the election on the grounds that it did not file a request for review of this Decision prior to the election. The request for review must conform to the requirements of Section 102.67 of the Board's Rules and Regulations.

A request for review must be E-Filed through the Agency's website and may not be filed by facsimile. To E-File the request for review, go to www.nlr.gov, select E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. If not E-Filed, the request for review should be addressed to the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001, and must be accompanied by a statement explaining the

circumstances concerning not having access to the Agency's E-Filing system or why filing electronically would impose an undue burden. A party filing a request for review must serve a copy of the request on the other parties and file a copy with the Regional Director. A certificate of service must be filed with the Board together with the request for review. Neither the filing of a request for review nor the Board's granting a request for review will stay the election in this matter unless specifically ordered by the Board.

Dated: September 4, 2025

A handwritten signature in black ink that reads "John D. Doyle, Jr." with a stylized flourish at the end.

John D. Doyle, Jr., Acting Regional Director, Region 01
National Labor Relations Board

Enclosures



United States of America
National Labor Relations Board
NOTICE OF ELECTION



PURPOSE OF ELECTION: This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. (See VOTING UNIT in this Notice of Election for description of eligible employees.) A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

SECRET BALLOT: The election will be by secret ballot carried out through the U.S. mail under the supervision of the Regional Director of the National Labor Relations Board (NLRB). A sample of the official ballot is shown on the next page of this Notice. Voters will be allowed to vote without interference, restraint, or coercion. Employees eligible to vote will receive in the mail *Instructions to Employees Voting by United States Mail*, a ballot, a blue envelope, and a yellow self-addressed envelope needing no postage.

ELIGIBILITY RULES: Employees eligible to vote are those described under the VOTING UNIT on the next page and include employees who did not work during the designated payroll period because they were ill or on vacation or temporarily laid off. In a mail ballot election, employees are eligible if they are in the VOTING UNIT during both the designated payroll period and on the date they mail in their ballots. Employees who have quit or been discharged for cause since the designated payroll period and who have not been rehired or reinstated prior to the date of this election, or, in a mail ballot election, before the date they mail in their ballots, are not eligible to vote.

CHALLENGE OF VOTERS: An agent of the Board or an authorized observer may question the eligibility of a voter. Such challenge must be made at the time the ballots are counted.

AUTHORIZED OBSERVERS: Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB.

METHOD AND DATE OF ELECTION: The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit. At 5:00 PM on Friday, September 12, 2025, ballots will be mailed to voters from the National Labor Relations Board, Subregion 34, 450 Main Street, Suite 410, Hartford, Connecticut. Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void.

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by Friday, September 19, 2025, should communicate immediately with the National Labor Relations Board by either calling the Subregion 34 Office at (860)240-3522 or our national toll-free line at 1-844-762-NLRB (1-844-762-6572).

All ballots will be commingled and counted at the Subregion 34 Office, 450 Main Street, Suite 410, Hartford, Connecticut on Tuesday, September 30, 2025, at 2 PM. In order to be valid and counted, the returned ballots must be received in the Subregion 34 Office prior to the counting of the ballots.

WARNING: This is the only official notice of this election and must not be defaced by anyone. Any markings that you may see on any sample ballot or anywhere on this notice have been made by someone other than the National Labor Relations Board and have not been put there by the National Labor Relations Board. The National Labor Relations Board is an agency of the United States Government and does not endorse any choice in the election.



United States of America
National Labor Relations Board
NOTICE OF ELECTION





VOTING UNIT

EMPLOYEES ELIGIBLE TO VOTE:

Those eligible to vote are: All full-time and regular part-time budtenders, lead budtenders, and inventory employees employed by the Employer at its Northampton, Massachusetts facility, who were employed during the payroll period ending August 17, 2025.

EMPLOYEES NOT ELIGIBLE TO VOTE:

Those not eligible to vote are: All office clerical employees, confidential employees, managers, guards, professional employees, and supervisors as defined in the Act.

	<p>UNITED STATES OF AMERICA National Labor Relations Board 01-RC-369652 OFFICIAL SECRET BALLOT For certain employees of TOROVERDE MA INC. D/B/A CHEECH AND CHONG DISPENSORIA</p>	
<p>Do you wish to be represented for purposes of collective bargaining by INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 404?</p>		
<p>MARK AN "X" IN THE SQUARE OF YOUR CHOICE</p>		
<p>YES</p> <div><input type="checkbox"/></div>		<p>NO</p> <div><input type="checkbox"/></div>
<p>DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY. MARK AN "X" IN THE SQUARE OF YOUR CHOICE ONLY.</p> <p>If you make markings inside, or anywhere around, more than one square, you may request a new ballot by referring to the enclosed instructions. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted.</p> <p><small>The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.</small></p>		

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United States of America
National Labor Relations Board
NOTICE OF ELECTION



RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union
- Choose representatives to bargain with your employer on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities
- In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election.

If agents of either Unions or Employers interfere with your right to a free, fair, and honest election the election can be set aside by the Board. When appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:

- Threatening loss of jobs or benefits by an Employer or a Union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time where attendance is mandatory, within the 24-hour period before the mail ballots are dispatched
- Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a Union or an Employer to influence their votes

The National Labor Relations Board protects your right to a free choice.

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law

Anyone with a question about the election may contact the NLRB Office at (617)565-6700 or visit the NLRB website www.nlr.gov for assistance.



United States of America
National Labor Relations Board
NOTICE OF ELECTION



PURPOSE OF ELECTION: This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. (See VOTING UNIT in this Notice of Election for description of eligible employees.) A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

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AUTHORIZED OBSERVERS: Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB

METHOD AND DATE OF ELECTION: The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit. At 5:00 PM on Friday, September 12, 2025, ballots will be mailed to voters from the National Labor Relations Board, Subregion 34, A. A. Ribicoff Federal Building, 450 Main Street, Suite 410, Hartford, Connecticut. Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void.

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United States of America
National Labor Relations Board
NOTICE OF ELECTION





VOTING UNIT

EMPLOYEES ELIGIBLE TO VOTE:

Those eligible to vote are: All full-time and regular part-time budtenders, lead budtenders, and inventory employees employed by the Employer at its Greenfield, Massachusetts facility, who were employed during the payroll period ending August 17, 2025.

EMPLOYEES NOT ELIGIBLE TO VOTE:

Those not eligible to vote are: All office clerical employees, confidential employees, managers, guards, professional employees, and supervisors as defined in the Act.

	<p>UNITED STATES OF AMERICA National Labor Relations Board 01-RC-369662 OFFICIAL SECRET BALLOT For certain employees of TOROVERDE MA INC. II D/B/A CHEECH AND CHONG DISPENSORIA</p>			
<p>Do you wish to be represented for purposes of collective bargaining by INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 404?</p>				
<p>MARK AN "X" IN THE SQUARE OF YOUR CHOICE</p>				
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<p>DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY. MARK AN "X" IN THE SQUARE OF YOUR CHOICE ONLY.</p> <p>If you make markings inside, or anywhere around, more than one square, you may request a new ballot by referring to the enclosed instructions. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted.</p> <p><small>The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.</small></p>				

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United States of America
National Labor Relations Board
NOTICE OF ELECTION



RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union
- Choose representatives to bargain with your employer on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities
- In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election. If agents of either Unions or Employers interfere with your right to a free, fair, and honest election the election can be set aside by the Board. When appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:

- Threatening loss of jobs or benefits by an Employer or a Union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time where attendance is mandatory, within the 24-hour period before the mail ballots are dispatched
- Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a Union or an Employer to influence their votes

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Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law

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**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**TOROVERDE MA INC. D/B/A CHEECH AND
CHONG DISPENSORIA**

Employer

and

**INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL 404**

Petitioner

Case 01-RC-369652

**TOROVERDE MA II INC. D/B/A CHEECH AND
CHONG DISPENSORIA**

Employer

and

**INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL 404**

Petitioner

Case 01-RC-369662

**AFFIDAVIT OF SERVICE OF: DECISION AND DIRECTION OF ELECTIONS with
each Notice of Election attached.**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on September 4, 2025, I served the above-entitled document(s) by **electronic mail** upon the following persons, addressed to them at the following addresses:

Jonathan Gonzalez
ToroVerde MA Inc. d/b/a Cheech and
Chong Dispensoria
26 N King St.
Northampton, MA 01060
jonathang@happyfeeling.co

Miranda S. Jones, Esq.
O'Reilly, Grosso, Gross & Jones, P.C.
1661 Worcester Road, Suite 403
Framingham, MA 01701
mjones@ogglaw.com

Jonathan Gonzalez
ToroVerde MA II Inc. d/b/a Cheech and
Chong Dispensoria
51 DAVIS ST
GREENFIELD, MA 01301
jonathang@happyfeeling.co

Jacob Savage, Business Agent
International Brotherhood of Teamsters
Local 404
115 Progress Ave
Springfield, MA 01104
jakesavage@teamsters404.net

Dated: September 4, 2025

By: *Elizabeth C. Person*, Designated Agent