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**ATTORNEY GENERAL RAOUL URGES SUPREME COURT TO UPHOLD REGULATIONS THAT PROTECT PUBLIC HEALTH AND SAFETY**

***Raoul, Coalition Argue Access to Private Commercial Properties Protects Workers and Public***

**Chicago** — Attorney General Kwame Raoul, as part of a coalition of 18 attorneys general, today filed [an amicus brief](#) with the U.S. Supreme Court in Cedar Point Nursery v. Hassid, which could have wide-ranging implications for state and federal regulations that protect workers and ensure public health. Raoul and the coalition are urging the court to uphold a California regulation that allows union organizers to access properties where agricultural employees are working. The coalition argues that a decision in favor of the plaintiffs could lead to government food and safety inspectors being denied access to commercial properties.

“This case has implications beyond any one employer and has the potential to jeopardize a host of state and federal regulations that are vital to protecting our residents,” Raoul said. “What the plaintiffs call a ‘simple’ rule could bring into question all regulations that depend on inspections of private property, from regulations that ensure employees’ safety to those that hold transportation industries accountable for meeting requirements that keep passengers safe. I urge the court not to upend decades of state and federal regulations aimed at protecting residents.”

Cedar Point Nursery, a strawberry nursery in California, filed a lawsuit against the California Agricultural Labor Relations Board over a state regulation that allows union organizers to access an agricultural grower’s property to communicate with employees. The regulation limits the time, duration, and purpose of such access, and it prohibits union organizers from disrupting the employer’s operations. Cedar Point Nursery argued in its lawsuit that the regulation permits a per se taking – a government occupation of private property – in violation of the Fifth Amendment to the Constitution. A federal district court rejected Cedar Point Nursery’s argument, and the U.S. Court of Appeals for the 9th Circuit upheld that decision.

In the amicus brief, Raoul and the coalition argue that the sweeping rule proposed by Cedar Point Nursery could raise questions about the validity of a wide range of state and federal statutes that are essential to protecting the health and safety of workers and the general public. For example, adopting a general rule to prevent union organizers and others who do not work for an employer from entering a commercial private property could impact other regulations that depend on access to worksites, including the Federal Mine Act, the Federal Railroad Safety Act, and Occupational Safety and Health Administration standards.

Raoul and the coalition highlight a number of laws and regulations that could be impacted by this lawsuit including:

- Federal statutes that allow for inspections of mines and railroad property, such as to determine the cause of an accident or inspect equipment or records.
- An Illinois law that permits inspectors to enter a premise to enforce occupational work and safety standards.
- Virginia and Massachusetts laws that allow inspectors to check for asbestos.
- A Tennessee law that allows health officials to inspect any site with a radiation source.
- State and local statutes that provide limited rights in a variety of circumstances. Among those are workplace and food-safety inspection laws, public access provisions, record-keeping inspection regimes and environmental laws.

Joining Raoul in filing the brief are the attorneys general of Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington.