

Law and Legislation Committee Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2019-00774

June 18, 2019

Discussion Item 03

Title: Ordinance Relating to Hotel Worker Protection

Location: Citywide

Recommendation: 1) Review an ordinance adding Chapter 5.78 to the Sacramento City Code relating to hotel worker protection; and 2) pass a Motion forwarding the ordinance to City Council for consideration.

Contact: Consuelo Hernandez, Director of Government Affairs, 916-808-7395, Office of the City Manager

Presenter: Consuelo Hernandez, Director of Government Affairs, 916-808-7395, Office of the City Manager

Attachments:

1-Description/Analysis

2-Panic Button Ordinance

Description/Analysis

Issue Detail: To address worker protections against sexual harassment, some hotel operators around the country are providing their housekeepers with panic buttons that they can use if they feel there is sexual harassment activity occurring in their presence. Panic buttons, when pressed, alert security personnel or other appropriate hotel staff to intervene if an employee feels threatened by any person.

Housekeepers in unionized, New York City hotels have been carrying panic buttons since 2013 and the Chicago City Council unanimously voted to require similar devices in 2017. Voters in Seattle approved legislation in 2016 which requires hotel housekeepers to carry electronic whistles, GPS-equipped buttons that alert security, or iPads with new emergency alert functions. In July 2018 the City of Miami Beach passed a law requiring hotels to arm housekeepers with panic buttons. On February 6, 2018, Sacramento County passed an ordinance requiring hotel and motel operators in the unincorporated County to provide employees with a panic button or notification device which can be used to call for help if the employee reasonably believes that there is sexual harassment activity occurring in the employee's presence. Sacramento County's ordinance does not apply to hotels within the City of Sacramento.

Policy Considerations: There are approximately 80 hotels and motels operating within the City of Sacramento. As drafted, the proposed ordinance would apply to hotels, as defined under section 3.28.020, with 25 or more rooms, which currently is estimated at 60 or approximately 75 percent of the City's existing licensed hotels and motels. If passed, the proposed ordinance would require hotel operators to provide employees who are assigned to work in a guest room or restroom panic buttons at no cost to the employee.

This proposed ordinance is intended to help protect hotel employees from sexual harassment and sexual assault. The panic button, carried by the employee, can be used if the employee needs urgent assistance.

Economic Impacts: Unknown.

Environmental Considerations: Not applicable.

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Upon request of the City Council, staff is proposing to add a section to the Sacramento City Code to provide protection to hotel workers working at specified hotels and motels within the city limits.

Financial Considerations: If the City chooses to conduct an outreach campaign to affected hotels, there may be future staffing costs including time for site visits and enforcement.

Local Business Enterprise (LBE): Not applicable.

ORDINANCE NO. _____

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE ADDING CHAPTER 5.78 TO THE SACRAMENTO CITY CODE
RELATING TO HOTEL WORKER PROTECTION

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Chapter 5.78 is added to the Sacramento City Code to read as follows:

Chapter 5.78 HOTEL WORKER PROTECTION

5.78.010 Definitions.

As used in this chapter:

“Employee” means a natural person who works full- or part-time at a hotel for wages, salary, or remuneration of any type.

“Guest room” means any room made available by a hotel for overnight occupancy by guests.

“Hotel” means any hotel, as defined under section 3.28.020, with 25 or more guest rooms.

“Operator” has the same meaning as in section 3.28.020.

“Panic button” means a portable device that an employee can quickly and easily activate to summon to the employee’s location hotel staff who are able to provide immediate aid and assistance.

5.78.020 Hotel panic button.

Every operator of a hotel shall provide a panic button to each employee who is assigned to work in a guest room or restroom. The operator of the hotel shall provide the panic button at no cost to the employee.

5.78.030 Violations.

- A. In addition to any other remedy allowed by law, any person who violates a provision of this chapter is subject to criminal sanctions, civil actions, and administrative penalties pursuant to chapter 1.28.
- B. Violations of this chapter are hereby declared to be a public nuisance.

- C. Any person who violates a provision of this chapter is liable for civil penalties of not less than \$250 or more than \$25,000 for each day the violation continues.
- D. Any person who violates a provision of this chapter is guilty of an infraction.
- E. All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy for the purpose of enforcing the provisions hereof.