

Law and Legislation Committee Report

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File ID: 2018-01261

December 11, 2018

Discussion Item 03

Title: Ordinance Relating to Hotel Worker Protection

Location: Citywide

Recommendation: 1) Provide direction on policy recommendations for the development of an ordinance relating to hotel worker protection; and 2) bring back to the Law and Legislation Committee an ordinance for consideration.

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

Attachments:

1-Description/Analysis

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Issue Detail: There are approximately 80 hotels and motels operating within the City of Sacramento. As proposed to be drafted, the ordinance would apply to hotels or motels with 25 or more rooms, which currently is estimated at 60 or approximately 75 percent of the City's existing licensed hotels and motels.

Policy Considerations: Recognizing the vulnerability that many hotel and motel workers face, many worker advocates have asked that hotel workers be equipped with panic buttons in case of emergency. Once the panic button is pressed, immediate assistance from another employee or security would be summoned to assist the individual. Several municipalities, including the cities of Seattle and Chicago and Sacramento County, have passed local ordinances requiring hotels and motels to equip their workers with panic buttons to protect these workers.

This proposed ordinance is intended to help protect hotel and motel 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 providing information on a proposed ordinance to protect hotel workers.

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.

Background: 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 alter functions. The City of Miami Beach in Florida is also considering new panic button laws aimed at protecting its 11,500 housekeepers from harassment or improper advances by hotel guests. The City of Long Beach, California, narrowly rejected a proposal that addressed various hotel worker issues including but not limited to panic buttons in a 5-4 vote late last year. 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.

Proposed Language for Hotel Worker Protection Ordinance

- A hotel shall be any hotel with twenty-five or more guest rooms subject to licensure by the City of Sacramento.
- An employee shall be a natural person who works full or part time at a hotel for wages or salary or remuneration of any type.
- A panic button shall mean a portable emergency contact device that is designed so that an employee can quickly or easily activate such button or device to summon to the employee's location prompt assistance by hotel staff that are able to provide immediate aid and assistance such as a hotel security officer or manager.
- Sexual harassment shall mean any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature.
- Every hotel licensee shall equip each employee who is assigned to work in a guest room or restroom with a panic button or notification device. Panic buttons and notification devices shall be provided by the hotel licensee at no cost to the employee.
- Every hotel licensee shall develop, maintain and comply with a written sexual harassment policy to protect employees against sexual assault and sexual harassment by guests. Such policy shall encourage employees to immediately report to the hotel licensee instances of alleged sexual assault and sexual harassment by guests and shall describe the procedures that the complaining employee and hotel licensee shall follow in such cases.
- Every hotel licensee shall provide all employees with a current copy in English and Spanish of the sexual harassment policy and post such policy in conspicuous areas in the hotel, such as supply rooms or employee break rooms, where employees can reasonably be expected to see it.

- The City shall develop informational materials to post on the City's website about the new regulations. Information also will be mailed to hotels and motels in the City to inform them of the regulations.
- Violations of this ordinance would be subject to administrative penalties.