



Legislation Details

File #:	17-0826	Version:	1	Name:	CD 1,9,2,7 Supporting Long Beach Working Women: Hospitality Workload & Safety Ordinance
Type:	Agenda Item	Status:		Status:	Approved
File created:	9/11/2017	In control:		In control:	City Council
On agenda:	9/19/2017	Final action:		Final action:	9/19/2017

Title: Recommendation to direct City Manager, or his designee, to draft an ordinance regarding hotels with 100 rooms or more that includes, but is not limited to the following:

- Panic Buttons: Requiring that hotel employers provide panic buttons to each hotel employee assigned to working a guest room without other hotel employees present, at no cost to the hotel employee.
- Notice to Hotel Employees: Requiring hotel employers to provide notice to employees, prior to starting their scheduled work, of any guest on the list of alleged harassers or is a sex offender under Long Beach Municipal Code Section 9.66.010 who is staying at the hotel and the number or name of the room assigned to the guest and warn the hotel employees to exercise caution when entering that designated room during the time the guest is staying in the hotel.
- Notice in Guest Rooms: Requiring hotel employers to provide a sign on the back of each guest room door, written in a font size of no less than 18 points, that includes the heading "The Law Protects Hotel Housekeepers and Hotel Employees from harassment," notice that the hotel provides panic buttons to employees assigned to work in guest rooms without other hotel employees present, and a citation to the Long Beach Municipal Code created by this ordinance.
- Hotel Employees' Rights: Establishing hotel employee's rights in cases in which hotel employee notifies hotel employer about an unwanted sexual advance, request for sexual conduct, or other verbal or physical conduct of a sexual nature by a guest which include:
 - o Upon request, the hotel employee shall be reassigned to a different floor, a different work area, or away from the guest for the entire duration of the guest's stay at the hotel.
 - o The hotel employer shall allow sufficient paid time to contact the police and provide a police statement and to consult with a counselor or advisor of the hotel employee's choosing.
 - o The hotel employer shall cooperate with any investigation into the incident undertaken by the law enforcement agency and/or any attorney for the complaining hotel employee.
- Humane workloads:
 - o Requiring that hotel employers not require a room cleaner to clean rooms amounting to more than 4,000 square feet of floorspace in any one, eight-hour workday. This maximum floor space should be prorated evenly according to the actual number of hours worked by any room cleaner working less than eight full hours in a workday. This limitation should apply to any combination of spaces, including guest rooms and suites, meeting rooms or hospitality rooms, and apply regardless of the furniture, equipment or amenities in any rooms. When a room cleaner during a workday is assigned to clean any combination of seven or more checkout rooms or additional-bed rooms, the maximum floorspace to be cleaned should be reduced by 500 square feet for each such checkout or additional-bed room over six.
 - o A hotel employer that assigns a room cleaner a workload in excess of these limits must pay the room cleaner time and one-half the room cleaner's regular rate of pay for all hours worked by the

room cleaner during the workday when the violation occurred.

- **Voluntary Overtime:** Requiring that hotel employers not suffer or permit a hotel employee to work more than 10 hours in any workday unless the hotel employee provides consent in writing or electronically or the hotel experiences an emergency posing an immediate threat to public safety or of substantial risk of property loss or destruction. Consent shall not be valid unless the hotel employer advised the employee in writing not more than 30 days preceding the consent that the hotel employee may decline to work more than 10 hours in any workday and that the hotel employer will not subject the hotel employee to any adverse action for declining.

- **Recording Keeping:** Requiring that each hotel employer maintain for at least two years for each room cleaner a record of his or her name, pay rates received, and the rooms (or at the hotel employer's option, total amount of square footage) each cleaned each workday. The ordinance should also require that each hotel employer preserve for at least two years a record of the written consents it received from hotel employees to work more than 10 hours during a shift. The ordinance should require that the hotel employer make such records available to employees of the hotel or their representatives for inspection and copying (with redactions where appropriate for personal information).

- **Anti-Retaliation:** Establishing anti-retaliation protections prohibiting employers from taking adverse action (including discharge, reducing in compensation, increasing workload, or imposing fees or charges) against employees who exercise their rights or participate in hearings under the ordinance or oppose any practice the ordinance makes unlawful.

- **Waiver:** Allowing for waivers of this ordinance if a bona fide collective bargaining agreement is established with equivalent protections.

- **Enforcement:** Providing for enforcement of all of the ordinance's provisions via a private right of action in Superior Court where an employee or representative of hotel employees is entitled to all remedies available under law or equity. A prevailing hotel employee should be entitled to reasonable attorneys fees and costs as part of costs recoverable. The ordinance should also require hotel employers to provide written notification to each current hotel employee, and to each new hotel employee at time of hire of his or her rights under the ordinance in any language spoken by more than ten hotel employees.

Sponsors: COUNCILWOMAN LENA GONZALEZ, FIRST DISTRICT, COUNCILMEMBER JEANNINE PEARCE, SECOND DISTRICT, COUNCILMEMBER ROBERTO URANGA, SEVENTH DISTRICT, VICE MAYOR REX RICHARDSON, NINTH DISTRICT

Indexes:

Code sections:

Attachments: 1. 091917-R-22sr.pdf, 2. 091917-R-22 Additional Documentation.pdf, 3. 091917-R-22 Corresp.Lowenthal.pdf, 4. 091917-R-22 Hotel Employees.pdf, 5. 091917-R-22 Human Relations Commission.pdf, 6. 091917-R-22 Corresp.Hahn.pdf, 7. 091917-R-22 Corresp.Medina.pdf, 8. 091917-R-22 Corresp.Flores.pdf, 9. 091917-R-22 Corresp.Hospitality Alliance.pdf

Date	Ver.	Action By	Action	Result
9/19/2017	1	City Council	approve recommendation	
9/19/2017	1	City Council	substitute motion	Pass
9/19/2017	1	City Council	second substitute motion	Fail