



Seattle Hotel Employees Health & Safety Initiative ♦ SMC 14.25

In November 2016, Seattle voters approved Initiative 124 which established the Hotel Employees Health and Safety Initiative as a new labor standards ordinance. **Effective November 30, 2016**, the ordinance provides protections for the health and safety of hotel employees working in Seattle.

Short Summary

I. Protecting hotel employees from violent assault and sexual harassment

A. Panic buttons for employees

A hotel employer shall provide a panic button to each hotel employee assigned to work in a guest room without other employees present

B. Protection from violent or harassing hotel guests

Hotel employer must compile and maintain a list of all guests accused of committing an act of violence or sexual harassment toward an employee for a period years from the date of the first accusation, and decline service to such guests for three years when the accusation is supported by a statement under penalty of perjury or other evidence.

C. Notice of employee protections

Hotel employer must post notice on the back of each guest room door with the heading, “The Law Protects Hotel Housekeepers and Other Employees from Violent Assault and Sexual Harassment (SMC 14.25),” and include notice that employees are provided with panic buttons.

D. Protections for employees who report assault or sexual harassment

Hotel employee who informs employer of an act of violence by a guest shall be able to transfer to different floor or work area, paid time to contact the police or counselor, and with employee’s consent report incident to the police.

II. Protecting hotel employees from injury

A. Reasonable practices to protect the safety of hotel employees

B. Protection from chemical exposure and notice of chemical hazards

C. Restrictions on work for employees at **large hotels (100 + guest rooms or suites of rooms)**

Housekeeping employee shall not be required to clean more than a maximum of 5,000 square feet of space in an eight-hour workday, with reductions in the square footage for ten or more strenuous room cleaning. If an employee performs excess cleaning, the employer must pay 1.5x the employee’s regular rate of pay for all time worked cleaning guest rooms during that day

III. Improving access to medical care for low income hotel employees

A. Additional compensation

Large hotel employers must provide additional compensation for cost of medical coverage to low-income hotel employees unless the employee receives medical coverage at gold level or higher from employer

IV. Preventing disruptions in the hotel industry

A. Worker Retention

After a change in control, the incoming hotel must retain current employees for 90 days and then offer preferential hiring for the following six months. Outgoing hotel must post written notice of change in control in conspicuous place at hotel location for six months.

V. Enforcement

A. Protections against retaliation

B. Notice, posting, and records

Hotel employer must provide written notice of employee rights to current employees and new employees at time of hire. The notice must be in each language spoken by 10 more employees. Employers must keep records for three years and, upon request, provide the information to employees and the Office of Labor Standards.

C. Private enforcement action

Complainants can file a law suit and recover legal and equitable relief, and attorney fees and costs. The court also can require employer to submit a compliance report.

D. Office for Civil Rights/ Office of Labor Standards

Office for Civil Rights may investigate allegations and the Office of Labor Standards can issue rules, including rules that protect the identity and privacy rights of complainants

E. Penalties

The court also can require an employer to submit a compliance report and pay civil penalties to be distributed among OLS, the aggrieved employees and the person who brought the case.

VI. Definitions

A. Employee = Hourly employee, non-managerial, non-supervisory employed by a hotel employer, or employed by a person who has contracted with the hotel employer.

B. Hotel = 60+ guest rooms or suites of rooms

C. Large hotel employer = 100+ guest rooms or suites of rooms

D. Low wage employee = Employee whose total compensation from the employer is 400% or less of the federal poverty line for the size of the employee's household

E. Strenuous room cleaning = Cleaning of check-out room or stayover room that includes a cot, rollout bed, pet bed, or crib.

VII. Waiver

A. No individual Waiver

B. Employees covered by collective bargaining agreement

1. No waiver of sections re: Protecting hotel employees from violent assault and sexual harassment and applicable enforcement mechanisms under SMC 14.25.150
2. Waiver for other provisions in a bona fide CBA, if such waiver is in clear and unambiguous terms