

Ballot Title: Hotel Workplace Requirements and Restrictions

Initiative Ordinance Amending the Long Beach Municipal Code to Add Workplace Requirements and Restrictions to Hotels Containing More than 50 Rooms

The proposed ordinance, if approved by the voters, would require a hotel in the City of Long Beach, defined as containing 50 or more rooms, to supply hotel employees who work in guest rooms without other hotel employees present with an electronic contact device, which they may use to summon on-scene assistance and to report threatening conduct. Hotels would be required to post notices of this practice in guest rooms.

The ordinance would prohibit a hotel employer from requiring a hotel room cleaner from cleaning more than 4,000 square feet of floorspace in any eight-hour workday unless the hotel employer pays twice the regular rate of pay for all hours worked. If a room cleaner works fewer than eight hours in a workday, the maximum floor space would be reduced on a prorated basis. Additional restrictions on square footage of floor space cleaned for checkout and additional bedrooms are provided.

The ordinance would prohibit a hotel employer from requiring a hotel employee from working more than ten hours in any workday unless the hotel employee provides written consent, and the hotel has previously advised the employee that he or she may decline to work more than ten hours in any workday.

The ordinance would provide that a hotel employee who notifies a hotel employer of violent or threatening behavior may be reassigned to a different work area for the duration of the alleged threatening guest's stay. The hotel employer must provide the employee with paid leave time to contact the police, a counselor and other advisor. The hotel employer may permit, but not require, the hotel employee to report the incident to law enforcement, and the hotel employer shall cooperate with any law enforcement investigation into the alleged incident.

The ordinance would require hotel employers to maintain records for at least two years of each room cleaner's wages, hours, square footage cleaned and consent to work overtime, with failure to do so resulting in fines and penalties.

The ordinance would prohibit a hotel employer from taking any action to discharge, reduce compensation, increase workload, impose fees, change duties or take any other adverse action against a hotel employee for asserting their rights under the ordinance.

A hotel employer seeking to terminate or take any other adverse action against any hotel employee who has sought to enforce his or her rights under this ordinance within one year preceding the adverse action shall provide to hotel employee a detailed written statement of the reason(s) for termination or other adverse action.

The provisions of the proposed ordinance could not be waived, except by a bona fide collective bargaining agreement.

Enforcement of the ordinance would be by civil action. Fines and penalties could be assessed in the amount of \$50 per affected employee per day, and may include possible punitive damages, attorneys' fees and costs.