

# INITIATIVE 2023-001

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SEPTEMBER 10, 2024



# INFORMATION SESSION

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Opportunity to provide the City Council and the public with factual information regarding Initiative 2023-001.

The City Council will take no official action, will not participate in debate, and will not provide any consensus regarding Initiative 2023-001.

# EVENT CENTER (§21-187)

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An event center means a publicly or privately owned structure in the City of more than 20,000 square feet that is used for public performances, sporting events, business meetings, or similar events. An event center includes, but is not limited to concert halls, stadiums, sports arenas, racetracks, coliseums, and convention centers.

# MINIMUM WAGE (§21-189)

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- \$20/ Hour - Minimum Wage for Event Center Workers, not including tips, gratuities, service charge distributions and bonuses.
- Annual COLA increase to the minimum wage; the greater of 3% or the preceding CPI increase for urban wage earner and clerical workers.
- Does not include tips, gratuities, service charge distribution and bonuses.

# HOTEL (§21-187)

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A hotel means an establishment in the city that provides temporary lodging for payment in the form of overnight accommodation in guest rooms to transient patrons for periods of thirty (30) consecutive calendar days or less. This definition includes hotels, motor lodges, motels, apartment hotels, transient residential structures, private residential clubs, tourist courts, hostels and private guest rooms that may be reserved, meeting the hotel definition.

## WORKLOAD WAGES AND BENEFITS (§21-188)

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- For hotels with fewer than 60 guest rooms, the employer shall not require a room attendant to clean more than 4,000 square feet in an 8-hour workday unless the employer pays premium pay (double pay rate) for each and every hour during that workday.

## WORKLOAD WAGES AND BENEFITS (§21-188)

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- For hotels with greater than 60 guest rooms, the employer shall not require a room attendant to clean more than 3,500 square feet in an 8-hour workday unless the employer pays premium pay (double pay rate) for each and every hour during that workday.

## WORKLOAD WAGES AND BENEFITS (§21-188)

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- If during an 8-hour work day a room attendant is required to clean a combination of 6 or more special attention rooms (a checkout room or a guest room for which the occupant declined daily room cleaning on the immediately preceding day) or additional bedrooms, the total amount of square footage for premium pay shall be reduced by five hundred (500) square feet.

# SERVICE CHARGES (§21-190)

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- All service charges shall be distributed to the event center and hotel employee. No portion to be paid to supervisory or managerial.
- All service charges must be disclosed with clean and conspicuous notice.
- The hotel or event center shall disclose in writing its plan of distributing and how distributed.
- Must be paid on next payroll unless cash (must be distributed on same day).
- No deduction for credit card charges.
- 3-year record retention.
- Does not include tips.

# WAIVER/SUPERCESSION

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## **LIMITED WAIVER (§21-191)**

A one (1) year waiver may be granted if compliance with this law would require the employer, in order to avoid bankruptcy or a shutdown of the hotel or event center, to reduce its workforce by more than 20 percent or curtail its workers total work hours by more than 30 percent.

## **SUPERSESSSION BY COLLECTIVE BARGAINING AGREEMENT (§21-195)**

The regulations regarding working conditions and wages may be waived pursuant to a bona fide collective bargaining agreement.

# RETALIATORY ACTS (§21-193)

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Retaliatory acts by the employer are prohibited.

# DEPT. OF LABOR (§21-196)

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Effective June 1, 2025, the City will create a department of labor standards, appoint investigators, and promulgate regulations.

Effective June 1, 2025, the City shall create an online and paper method for individuals to file complaints.

The Labor Department is authorized to engage in rule making consistent and in furtherance of the new law (§21-194).

# CITY ENFORCEMENT (§21-197)

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- Access to all records, if not access the worker's record shall be presumed accurate.
- Civil penalty of up to one hundred dollars (\$100) per day to be paid to the hotel or event center worker.
- Violations shall not exceed \$1,000 per day per employer.
- Statutory damages.
- 3-year statute of limitations.

# PRIVATE CAUSE OF ACTION (§21-198)

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- Any party impacted by the law may have the right to sue.
- Three-year statute of limitations within which any aggrieved individual may commence a civil action.
- Civil penalty of up to one hundred dollars (\$100) to be paid to the hotel or event center worker whose rights were violated and for each day of the violation. Violations shall not exceed \$1000 per day per employer. The Court shall award attorney fees and costs to a prevailing party.

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