



NEW YORK STATE SENATOR

Betty Little

Little, Rosenthal Introduce Legislation to Keep Hotel Workers Safer

BETTY LITTLE June 7, 2011

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ASSEMBLYMEMBER ROSENTHAL AND SENATOR BETTY LITTLE INTRODUCE LEGISLATION TO REQUIRE HOTELS TO PROVIDE COMPREHENSIVE SEXUAL HARASSMENT AWARENESS TRAINING

*New York State Would be First In Nation to Require Hospitality Industry to Provide Easy-to-Implement,
Common-Sense Solution;*

Hotel Workers Union and Industry Leaders Hail Legislation to Protect Hotel Employees

In response to revelations of sexual misconduct in the hospitality industry, Assemblymember Linda B. Rosenthal (D/WF-Manhattan) and Senator Betty Little (R/C/IP-Clinton) introduced legislation (A.8195) today that would require hotel and motel owners and operators to provide comprehensive sexual harassment awareness training, approved by the State Department of Labor, to their management and staff.

The training would:

- inform employees of their rights and remedies under the law,
- provide a clear system for reporting incidents and complaints both internally to hotel management and staff and externally to the proper authorities when necessitated by the situation,
- provide a workers bill of rights, and
- Protect employees who speak up from employer retaliation.

“The behavior of hotel guests will always be unpredictable, and recent events have demonstrated that there is a clear need for sexual harassment awareness and prevention education and training for hotel employees. The training required by this bill will provide a

much-needed layer of protection against aggressive and inappropriate customer behavior,” said Assemblymember Linda B. Rosenthal. “The goal of this legislation is to help educate the countless employees in the hospitality industry about sexual harassment and ultimately, to empower them to speak up, without fear of employer retaliation. Many hotel workers are women who are new to the country and speak limited, making them particularly vulnerable; it is essential that they be provided with specific protections under the law, and that is exactly what this bill will do.”

“New York’s hospitality industry is a major part of our state’s economy and a very important source of jobs for many,” said Senator Betty Little, lead sponsor of the legislation in the Senate. “It’s important that we have sensible policies in place to protect those in the workplace, raising awareness, providing appropriate training and ensuring that if something happens, the right steps are taken.”

“The 30,000 members of the Hotel Trades Council unfortunately see inappropriate behavior all too often,” said Peter Ward, President of the Hotel Trades Council, the hotel workers union in New York City. “Often, policies don’t exist, or employees and management don’t know the right steps to take. This legislation will help ensure that police are called in a timely fashion and that employees know their rights.”

The bill, the first of its kind in the nation, would apply specifically to hotels and motels, and would require owners and operators to provide all employees with sexual harassment training within a specified period of time after the commencement of employment, and would require them to create a comprehensive anti-sexual harassment policy. Employers would be required to post a worker’s bill of rights and provide employees with a “know your rights” pamphlet. While the New York State Department of Labor would be responsible for overseeing the creation and implementation of the training program and policy, the bill specifies the primary goals of such a program.

The training will educate employees and managers about appropriate and inappropriate behavior in the workplace between customers and employees, employees and other

employees and managers and employees. In addition, it would require all employers to set up a system for recording and addressing all complaints received. Employees will be notified of their rights, and will be provided with a clearly defined system for redress, including reporting the alleged incident to the appropriate authorities when necessary. The bill, which would take effect 90 days after its enactment, would require employers certify to the Department of Labor that their employees received trainings and would impose stiff monetary penalties on those hotels and motels who failed to comply.

"We're in an industry where we are always told the customer comes first," said Ellen Codd, a Room Service Server at Sofitel in Manhattan, "Making sure that every hotel has an appropriate training and policy in place is an easy way to make sure that when incidents happen, they are handled in the right way."

"By nature of what they do, housekeepers can find themselves in unsafe circumstances," says William A. Brewer III, partner at Bickel & Brewer, which often represents hotel owners, franchisors, developers and management companies. "Properly educating and training hotel workers is critical to creating a safer environment for those workers and hotel guests."

Speaking about the prevalence of sexual harassment in the hospitality industry and the need for educating employees about their rights, Sonia Ossorio, President of the National Organization for Women New York City, said, "Sexual harassment and sexual assault on the job are a daily reality for hotel house cleaning staff. For too long the plight of women hotel workers has gone unnoticed. The hotel industry must take it a top priority to create procedures to reduce these incidences and to respond quickly and effectively when incidences occur. The unrelenting hostile work environment that exists in hotels can no longer be swept under the rug."

Echoing those concerns and calling for clear procedures for reporting complaints of sexual harassment, Dr. Ludy Green, President and Founder of Second Chance Employment Services, said, "A sexual harassment crisis should be planned for and addressed like any other business risk. It would be considered an irresponsible business practice to operate a public facility if

staff are not properly trained and on how to respond to an outbreak of fire. Just the same, it is dangerous to business patrons if employees of a public facility are not properly trained on how to detect and mitigate the adverse and potentially dangerous impact of sexual harassment on all parties involved.”