

VETO MESSAGE: No
GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

New Jersey will now require panic buttons for hotel workers
NJBIZ (New Brunswick, NJ) - June 11, 2019

New Jersey mandates panic buttons for hotel room cleaners
Associated Press State Wire: New Jersey (NJ) - June 11, 2019

Step toward safety - Gov. Murphy signs hotel panic button bill in Atlantic City
Press of Atlantic City, The (NJ) - June 12, 2019

Hotel housekeepers to get panic alarms
Hotel Times, The (Trenton, NJ) - June 12, 2019

Murphy: N.J. first to make this move to protect hotel workers from sexual assault
Jersey Journal, The (Jersey City, NJ) - June 12, 2019

Murphy signs law for system to protect hotel housekeepers from sexual assault
Hunterdon County Democrat (Flemington, NJ) - June 13, 2019

RWH/CL

P.L. 2019, CHAPTER 123, *approved June 11, 2019*
Senate, No. 2986 (*Second Reprint*)

1 AN ACT concerning the protection of hotel employees from sexual
2 assault and other dangerous working conditions and
3 supplementing Title 29 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. The Legislature finds and declares that the hospitality
9 industry is a profitable and vital component of the State's economy,
10 and that hotel employees play a significant role in providing
11 hospitality services to tourists and other guests at hotels throughout
12 the State.

13 Due to the unique nature of hotel work, hotel employees are
14 particularly vulnerable ¹**to unsafe working conditions because they**
15 **often work** when working¹ alone in hotel guest rooms, which
16 sometimes may be occupied. This solitary work places them at risk
17 of assault, including sexual assault, and sexual harassment.
18 However, ¹some¹ hotel employers have not adequately addressed
19 the safety concerns of hotel employees.

20 ¹**Hotel** Many hotel¹ employees are ¹**often**¹ marginalized
21 members of society with limited means to support themselves and
22 their families, and without adequate support, may feel intimidated
23 to report inappropriate and criminal conduct for fear of
24 repercussions or retaliation from their employers.

25 It is appropriate and necessary to protect hotel employees from
26 violent acts, including sexual assault, sexual harassment, or other
27 inappropriate or criminal conduct to which they may be subjected
28 while performing their duties.

29

30 2. As used in this act:

31 "Commissioner" means the Commissioner of Labor and
32 Workforce Development.

33 "Hotel" means any hotel, inn, boarding house, motel or other
34 establishment whose proprietor offers and accepts payment for rooms,
35 sleeping accommodations or board and lodging and retains the right of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹**Senate SLA committee amendments adopted December 3, 2018.**

²**Assembly floor amendments adopted May 23, 2019.**

1 access to, and control of, the premises which are let, which contains at
2 least ²[25] 100² guest rooms.

3 “Hotel employee” or “employee” means any natural person who
4 works full-time or part-time ¹performing housekeeping or room
5 service duties¹ at a hotel for or under the direction of the hotel
6 employer or any subcontractor of the hotel employer for wages or
7 salary or remuneration of any type under a contract or subcontract of
8 employment.

9 “Hotel employer” or “employer” mean any person, including a
10 corporate office or executive, who directly or indirectly or through an
11 agent or any other person, including though the services of a
12 temporary staffing agency, employs or exercises control over the
13 wages, hours, or working conditions of any person employed in
14 furtherance of the hotel’s provision of lodging and other related
15 services for the public.

16 “Guest room” means any room made available by a hotel for
17 overnight occupancy by guests.

18 “Panic ¹**[button] device**¹” means a ¹**[portable emergency contact]**
19 two-way radio or other electronic¹ device which ¹is kept on an
20 employee’s person when the employee is in a guest room, and that
21 permits¹ an employee ¹**[can quickly and easily activate]**¹ to
22 ¹communicate with or otherwise¹ effectively summon immediate on-
23 scene assistance from a security officer, manager or supervisor, or
24 other appropriate hotel staff member.

25

26 3. a. A hotel employer shall provide a panic ¹**[button] device**¹ to
27 each hotel employee assigned to work in a guest room without any
28 other employees present, at no cost to the employee. An employee
29 may use the panic ¹**[button] device**¹ if the employee reasonably
30 believes there is an ongoing crime, ¹or immediate threat of assault or¹
31 harassment, or other emergency in the employee’s presence. The hotel
32 employee may cease work and leave the immediate area of perceived
33 danger or inappropriate conduct to await the arrival of assistance, and
34 no adverse action may be taken against the hotel employee for such
35 action.

36 ¹This subsection shall not apply if the terms of a collective
37 bargaining agreement address the issuance of panic devices to hotel
38 employees or otherwise address safety and reporting procedures for
39 hotel employees working in guest rooms without any other employees
40 present.¹

41 b. Upon a hotel employee activating a panic ¹**[button] device**¹, an
42 appropriate staff member of the hotel, manager or supervisor, or
43 security officer shall respond promptly to the location of the hotel
44 employee.

45 ²c.² A hotel employer shall:

46 (1) Keep a record of the accusations it receives that a guest has
47 committed an act of violence, including sexual assault, sexual

1 harassment, or other inappropriate conduct towards a hotel employee
2 and shall maintain the name of the guest so accused on the list for a
3 period of five years from the date of the incident.

4 (2) ¹Conduct an internal investigation to determine as much
5 identifying information about an accused guest as is reasonably
6 possible. Upon conclusion of the investigation, if the hotel employee
7 provides a certified statement of ²If the accused guest is convicted
8 of a crime in connection with¹ an incident² ¹involving an assault or
9 sexual harassment, or if the hotel employer determines there is
10 information in addition to or independent of a hotel employee's
11 statement that reasonably supports the hotel employee's description of
12 the incident² ²brought to the attention of the hotel employer by the
13 pressing of a panic device or otherwise reported by a hotel employee¹,
14 the hotel shall decline to provide occupancy to the guest for a period of
15 at least three years from the date of the incident.² ¹A hotel
16 employee shall not be required to provide a certified statement.¹

17 ²(3)² Report any incident involving alleged criminal ²or
18 inappropriate¹² conduct by a guest ¹or other person¹ to the
19 appropriate law enforcement agency ¹so that the law enforcement
20 agency may make a determination as to whether to pursue criminal
21 charges¹ and cooperate with any investigation undertaken by the law
22 enforcement agency.

23 ²(4) ²(3)² Notify ¹all¹ hotel employees ¹who are assigned to
24 housekeeping or room service duties of the room in which an alleged
25 incident occurred¹ of the presence and location of any guest named on
26 the list in accordance with paragraph (1) of ²this² subsection ²b.
27 this section², and provide hotel employees, other than the hotel
28 employee who activated the panic ¹button¹ device¹, the option of
29 either servicing the guest room of a guest on the list with a partner
30 hotel employee or opting out of servicing the room for the duration of
31 the guest's stay at the hotel. The hotel employee who activated the
32 panic ¹button¹ device¹ shall immediately be reassigned to a different
33 work area away from the guest room of the guest for the duration of
34 the guest's stay at the hotel.

35 ²c. d. If an accused guest is convicted of a crime in connection
36 with an incident brought to the attention of the hotel employer by the
37 pressing of a panic device or otherwise reported by a hotel employee,
38 the hotel may decline to provide occupancy to the guest.

39 e.² The hotel employer shall develop and maintain a program,
40 which may include written information, to educate hotel employees
41 regarding the use of panic ¹buttons¹ devices¹ and their rights in the
42 event the hotel employees activate their ¹buttons¹ devices¹, and to
43 encourage hotel employees to activate panic ¹buttons¹ devices¹ when
44 appropriate.

45 ²d. f.² The hotel employer shall advise guests of the panic
46 ¹buttons¹ devices¹ it provides to hotel employees either by:

1 (1) requiring guests to acknowledge the policy as part of the hotel
2 terms and conditions upon checking in to the hotel; or

3 (2) placing signs on the interior side of guest room doors in a
4 prominent location and in large font, detailing the panic ¹**button**
5 device¹ policy and the rights of hotel employees.
6

7 4. a. A hotel employer who ¹**violates any provision of this act**
8 does not provide a panic device to its employees pursuant to
9 subsection a. of section 3 of P.L. c., (C.) (pending before the
10 Legislature as this bill) or does not follow the ²**protocol** protocols²
11 established in ²**subsection** subsections² b. ²and c.² of section 3 of
12 P.L. , c. (C.) (pending before the Legislature as this bill) upon
13 a hotel employee reporting an incident¹ shall be subject to a civil
14 penalty in an amount not to exceed \$5,000 for the first violation and
15 \$10,000 for each subsequent violation, collectible by the Department
16 of Labor and Workforce Development in a summary proceeding
17 pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274
18 (C.2A:58-10 et seq.).

19 b. The commissioner shall, pursuant to the "Administrative
20 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and
21 regulations to effectuate the purposes of this act.
22

23 5. This act shall take effect on the first day of the sixth month
24 next following enactment, except that the commissioner may take
25 any anticipatory administrative action in advance as shall be
26 necessary for the implementation of this act.
27

28
29

30
31 Requires hotels to provide panic devices to certain hotel
32 employees for protection from unsafe working conditions while
33 performing housekeeping duties.

SENATE, No. 2986

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED SEPTEMBER 24, 2018

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires hotels to provide panic buttons to hotel employees for protection from unsafe working conditions while performing housekeeping duties.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/16/2018)

1 AN ACT concerning the protection of hotel employees from sexual
2 assault and other dangerous working conditions and
3 supplementing Title 29 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Legislature finds and declares that the hospitality
9 industry is a profitable and vital component of the State's economy,
10 and that hotel employees play a significant role in providing
11 hospitality services to tourists and other guests at hotels throughout
12 the State.

13 Due to the unique nature of hotel work, hotel employees are
14 particularly vulnerable to unsafe working conditions because they
15 often work alone in hotel guest rooms, which sometimes may be
16 occupied. This solitary work places them at risk of assault,
17 including sexual assault, and sexual harassment. However, hotel
18 employers have not adequately addressed the safety concerns of
19 hotel employees.

20 Hotel employees are often marginalized members of society with
21 limited means to support themselves and their families, and without
22 adequate support, may feel intimidated to report inappropriate and
23 criminal conduct for fear of repercussions or retaliation from their
24 employers.

25 It is appropriate and necessary to protect hotel employees from
26 violent acts, including sexual assault, sexual harassment, or other
27 inappropriate or criminal conduct to which they may be subjected
28 while performing their duties.

29
30 2. As used in this act:

31 "Commissioner" means the Commissioner of Labor and
32 Workforce Development.

33 "Hotel" means any hotel, inn, boarding house, motel or other
34 establishment whose proprietor offers and accepts payment for
35 rooms, sleeping accommodations or board and lodging and retains
36 the right of access to, and control of, the premises which are let,
37 which contains at least 25 guest rooms.

38 "Hotel employee" or "employee" means any natural person who
39 works full-time or part-time at a hotel for or under the direction of
40 the hotel employer or any subcontractor of the hotel employer for
41 wages or salary or remuneration of any type under a contract or
42 subcontract of employment.

43 "Hotel employer" or "employer" mean any person, including a
44 corporate officer or executive, who directly or indirectly or through
45 an agent or any other person, including through the services of a
46 temporary staffing agency, employs or exercises control over the
47 wages, hours, or working conditions of any person employed in

1 furtherance of the hotel's provision of lodging and other related
2 services for the public.

3 "Guest room" means any room made available by a hotel for
4 overnight occupancy by guests.

5 "Panic button" means a portable emergency contact device which
6 an employee can quickly and easily activate to effectively summon
7 immediate on-scene assistance from a security officer, manager or
8 supervisor, or other appropriate hotel staff member.

9
10 3. a. A hotel employer shall provide a panic button to each
11 hotel employee assigned to work in a guest room without any other
12 employees present, at no cost to the employee. An employee may
13 use the panic button if the employee reasonably believes there is an
14 ongoing crime, harassment, or other emergency in the employee's
15 presence. The hotel employee may cease work and leave the
16 immediate area of perceived danger or inappropriate conduct to
17 await the arrival of assistance, and no adverse action may be taken
18 against the hotel employee for such action.

19 b. Upon a hotel employee activating a panic button, an
20 appropriate staff member of the hotel, manager or supervisor, or
21 security officer shall respond promptly to the location of the hotel
22 employee. A hotel employer shall:

23 (1) Keep a record of the accusations it receives that a guest has
24 committed an act of violence, including sexual assault, sexual
25 harassment, or other inappropriate conduct towards a hotel
26 employee and shall maintain the name of the guest so accused on
27 the list for a period of five years from the date of the incident.

28 (2) Conduct an internal investigation to determine as much
29 identifying information about an accused guest as is reasonably
30 possible. Upon conclusion of the investigation, if the hotel
31 employee provides a certified statement of an incident involving an
32 assault or sexual harassment, or if the hotel employer determines
33 there is information in addition to or independent of a hotel
34 employee's statement that reasonably supports the hotel employee's
35 description of the incident, the hotel shall decline to provide
36 occupancy to the guest for a period of at least three years from the
37 date of the incident. A hotel employee shall not be required to
38 provide a certified statement.

39 (3) Report any incident involving alleged criminal conduct by a
40 guest to the appropriate law enforcement agency and cooperate with
41 any investigation undertaken by the law enforcement agency.

42 (4) Notify all hotel employees of the presence and location of
43 any guest named on the list in accordance with paragraph (1) of
44 subsection b. of this section, and provide hotel employees, other
45 than the hotel employee who activated the panic button, the option
46 of either servicing the guest room of a guest on the list with a
47 partner hotel employee or opting out of servicing the room for the
48 duration of the guest's stay at the hotel. The hotel employee who

1 activated the panic button shall immediately be reassigned to a
2 different work area away from the guest room of the guest for the
3 duration of the guest's stay at the hotel.

4 c. The hotel employer shall develop and maintain a program,
5 which may include written information, to educate hotel employees
6 regarding the use of panic buttons and their rights in the event the
7 hotel employees activate their buttons, and to encourage hotel
8 employees to activate panic buttons when appropriate.

9 d. The hotel employer shall advise guests of the panic buttons
10 it provides to hotel employees either by:

11 (1) requiring guests to acknowledge the policy as part of the
12 hotel terms and conditions upon checking in to the hotel; or

13 (2) placing signs on the interior side of guest room doors in a
14 prominent location and in large font, detailing the panic button
15 policy and the rights of hotel employees.

16
17 4. a. A hotel employer who violates any provision of this act
18 shall be subject to a civil penalty in an amount not to exceed \$5,000
19 for the first violation and \$10,000 for each subsequent violation,
20 collectible by the Department of Labor and Workforce
21 Development in a summary proceeding pursuant to the "Penalty
22 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

23 b. The commissioner shall, pursuant to the "Administrative
24 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
25 and regulations to effectuate the purposes of this act.

26
27 5. This act shall take effect on the first day of the sixth month
28 next following enactment, except that the commissioner may take
29 any anticipatory administrative action in advance as shall be
30 necessary for the implementation of this act.

31

32

33

STATEMENT

34

35 This bill would require hotels to equip hotel employees, at no
36 cost to the employees, with panic buttons for the protection of hotel
37 employees against inappropriate conduct by guests when hotel
38 employees are servicing guest rooms by themselves. The panic
39 button requirement applies to hotels with at least 25 guest rooms.

40 Under the bill, "panic button" means a portable emergency
41 contact device which an employee can quickly and easily activate to
42 summon immediate on-scene assistance from a security officer,
43 manager or supervisor, or other appropriate hotel staff member.

44 The bill also requires hotels to investigate these incidents and
45 report any criminal conduct to the appropriate law enforcement
46 agency.

47 Due to the unique nature of hotel work, hotel employees are
48 particularly vulnerable to unsafe working conditions because they

1 often work alone in hotel rooms, which sometimes may be
2 occupied. This solitary work places them at risk of assault,
3 including sexual assault, and sexual harassment. However, hotel
4 employers have not adequately addressed the safety concerns of
5 hotel employees.

6 It is necessary to protect hotel employees from violent acts,
7 including sexual assault, sexual harassment, or other inappropriate
8 or criminal conduct to which they may be subjected while
9 performing their duties.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 2986

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 2018

The Senate Labor Committee reports favorably, with committee amendments, Senate Bill, No. 2986.

As amended, this bill requires hotels to equip hotel employees performing housekeeping or room service duties, at no cost to the employees, with panic devices for their protection against inappropriate conduct by guests when they are servicing guest rooms by themselves. The panic device requirement applies to any hotel with 25 or more guest rooms.

Under the bill, “panic device” means any two-way radio or other electronic device which is kept on an employee’s person when in a guest room, permitting the employee to communicate with, or otherwise summon immediate on-scene assistance from, a security officer, manager, supervisor, or other appropriate hotel staff.

The bill excludes hotel employees who are subject to collective bargaining agreements that address panic devices, or other safety and reporting procedures for employees working alone in guest rooms.

The bill requires hotel employers to refuse occupancy to a guest for three years if the guest is convicted of a crime in connection with an incident brought to the attention of the hotel employer by the pressing of a panic device.

Due to the unique nature of hotel work, hotel employees are particularly vulnerable to unsafe working conditions because they often work alone in hotel rooms, which sometimes may be occupied. This solitary work places them at risk of assault, including sexual assault, and sexual harassment. However, hotel employers have not adequately addressed the safety concerns of hotel employees. It is necessary to protect hotel employees from violent acts, including sexual assault, sexual harassment, or other inappropriate or criminal conduct to which they may be subjected while performing their duties.

Committee Amendments:

The amendments adopted by the committee:

1. Clarify that the bill applies only to hotel employees performing housekeeping or room service duties;
2. Change the term “panic button” to “panic device” and revise the definition to mean any two-way radio or other electronic device

kept on an employee's person when in a guest room, permitting the employee to communicate with, or otherwise summon immediate on-scene assistance from, a security officer, manager, supervisor, or other appropriate hotel staff;

3. Exclude hotel employees who are subject to collective bargaining agreements that address panic devices or other safety and reporting procedures for employees working alone in guest rooms;

4. Remove the requirement that the hotel employer conduct internal investigations, but require the employer to report any incident involving alleged criminal or inappropriate conduct by a guest or other person to the appropriate law enforcement agency and cooperate with any investigation of the agency;

5. Require a hotel to refuse occupancy to a guest for three years only if the accused guest is convicted of a crime in connection with an incident brought to the attention of the hotel employer by the pressing of a panic device or otherwise reported by a hotel employee; and

6. Require the hotel employer to notify only those hotel employees who are assigned to housekeeping or room service duties of the room in which an alleged incident occurred of the presence and location of any guest named on the list.

STATEMENT TO
[First Reprint]
SENATE, No. 2986

with Assembly Floor Amendments
(Proposed by Assemblyman ARMATO)

ADOPTED: MAY 23, 2019

These Assembly amendments permit, rather than require, a hotel to decline occupancy to a guest if that guest is convicted of a crime in connection with an incident brought to the attention of the hotel employer by the hotel employee.

The amendments also remove the requirement to report “inappropriate conduct” by a guest or other person to the appropriate law enforcement agency.

The amendments increase, from 25 to 100, the number of guest rooms in the definition of hotel.

The amendments also correct internal references within the bill.

The proposed amendments would make the bill identical to Assembly Bill No. 4439 (2R) of this session.

ASSEMBLY, No. 4439

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED SEPTEMBER 17, 2018

Sponsored by:

Assemblyman JOHN ARMATO

District 2 (Atlantic)

Assemblyman VINCENT MAZZEO

District 2 (Atlantic)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

SYNOPSIS

Requires hotels to provide panic buttons to hotel employees for protection from unsafe working conditions while performing housekeeping duties.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/25/2019)

1 AN ACT concerning the protection of hotel employees from sexual
2 assault and other dangerous working conditions and
3 supplementing Title 29 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Legislature finds and declares that the hospitality
9 industry is a profitable and vital component of the State's economy,
10 and that hotel employees play a significant role in providing
11 hospitality services to tourists and other guests at hotels throughout
12 the State.

13 Due to the unique nature of hotel work, hotel employees are
14 particularly vulnerable to unsafe working conditions because they
15 often work alone in hotel guest rooms, which sometimes may be
16 occupied. This solitary work places them at risk of assault,
17 including sexual assault, and sexual harassment. However, hotel
18 employers have not adequately addressed the safety concerns of
19 hotel employees.

20 Hotel employees are often marginalized members of society with
21 limited means to support themselves and their families, and without
22 adequate support, may feel intimidated to report inappropriate and
23 criminal conduct for fear of repercussions or retaliation from their
24 employers.

25 It is appropriate and necessary to protect hotel employees from
26 violent acts, including sexual assault, sexual harassment, or other
27 inappropriate or criminal conduct to which they may be subjected
28 while performing their duties.

29
30 2. As used in this act:

31 "Commissioner" means the Commissioner of Labor and
32 Workforce Development.

33 "Hotel" means any hotel, inn, boarding house, motel or other
34 establishment whose proprietor offers and accepts payment for
35 rooms, sleeping accommodations or board and lodging and retains
36 the right of access to, and control of, the premises which are let,
37 which contains at least 25 guest rooms.

38 "Hotel employee" or "employee" means any natural person who
39 works full-time or part-time at a hotel for or under the direction of
40 the hotel employer or any subcontractor of the hotel employer for
41 wages or salary or remuneration of any type under a contract or
42 subcontract of employment.

43 "Hotel employer" or "employer" mean any person, including a
44 corporate officer or executive, who directly or indirectly or through
45 an agent or any other person, including through the services of a
46 temporary staffing agency, employs or exercises control over the
47 wages, hours, or working conditions of any person employed in

1 furtherance of the hotel's provision of lodging and other related
2 services for the public.

3 "Guest room" means any room made available by a hotel for
4 overnight occupancy by guests.

5 "Panic button" means a portable emergency contact device which
6 an employee can quickly and easily activate to effectively summon
7 immediate on-scene assistance from a security officer, manager or
8 supervisor, or other appropriate hotel staff member.

9
10 3. a. A hotel employer shall provide a panic button to each
11 hotel employee assigned to work in a guest room without any other
12 employees present, at no cost to the employee. An employee may
13 use the panic button if the employee reasonably believes there is an
14 ongoing crime, harassment, or other emergency in the employee's
15 presence. The hotel employee may cease work and leave the
16 immediate area of perceived danger or inappropriate conduct to
17 await the arrival of assistance, and no adverse action may be taken
18 against the hotel employee for such action.

19 b. Upon a hotel employee activating a panic button, an
20 appropriate staff member of the hotel, manager or supervisor, or
21 security officer shall respond promptly to the location of the hotel
22 employee. A hotel employer shall:

23 (1) Keep a record of the accusations it receives that a guest has
24 committed an act of violence, including sexual assault, sexual
25 harassment, or other inappropriate conduct towards a hotel
26 employee and shall maintain the name of the guest so accused on
27 the list for a period of five years from the date of the incident.

28 (2) Conduct an internal investigation to determine as much
29 identifying information about an accused guest as is reasonably
30 possible. Upon conclusion of the investigation, if the hotel
31 employee provides a certified statement of an incident involving an
32 assault or sexual harassment, or if the hotel employer determines
33 there is information in addition to or independent of a hotel
34 employee's statement that reasonably supports the hotel employee's
35 description of the incident, the hotel shall decline to provide
36 occupancy to the guest for a period of at least three years from the
37 date of the incident. A hotel employee shall not be required to
38 provide a certified statement.

39 (3) Report any incident involving alleged criminal conduct by a
40 guest to the appropriate law enforcement agency and cooperate with
41 any investigation undertaken by the law enforcement agency.

42 (4) Notify all hotel employees of the presence and location of
43 any guest named on the list in accordance with paragraph (1) of
44 subsection b. of this section, and provide hotel employees, other
45 than the hotel employee who activated the panic button, the option
46 of either servicing the guest room of a guest on the list with a
47 partner hotel employee or opting out of servicing the room for the
48 duration of the guest's stay at the hotel. The hotel employee who

1 activated the panic button shall immediately be reassigned to a
2 different work area away from the guest room of the guest for the
3 duration of the guest's stay at the hotel.

4 c. The hotel employer shall develop and maintain a program,
5 which may include written information, to educate hotel employees
6 regarding the use of panic buttons and their rights in the event the
7 hotel employees activate their buttons, and to encourage hotel
8 employees to activate panic buttons when appropriate.

9 d. The hotel employer shall advise guests of the panic buttons
10 it provides to hotel employees either by:

11 (1) requiring guests to acknowledge the policy as part of the
12 hotel terms and conditions upon checking in to the hotel; or

13 (2) placing signs on the interior side of guest room doors in a
14 prominent location and in large font, detailing the panic button
15 policy and the rights of hotel employees.

16
17 4. a. A hotel employer who violates any provision of this act
18 shall be subject to a civil penalty in an amount not to exceed \$5,000
19 for the first violation and \$10,000 for each subsequent violation,
20 collectible by the Department of Labor and Workforce
21 Development in a summary proceeding pursuant to the "Penalty
22 Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

23 b. The commissioner shall, pursuant to the "Administrative
24 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
25 and regulations to effectuate the purposes of this act.

26
27 5. This act shall take effect on the first day of the sixth month
28 next following enactment, except that the commissioner may take
29 any anticipatory administrative action in advance as shall be
30 necessary for the implementation of this act.

31

32

33

STATEMENT

34

35 This bill would require hotels to equip hotel employees, at no
36 cost to the employees, with panic buttons for the protection of hotel
37 employees against inappropriate conduct by guests when hotel
38 employees are servicing guest rooms by themselves. The panic
39 button requirement applies to hotels with at least 25 guest rooms.

40 Under the bill, "panic button" means a portable emergency
41 contact device which an employee can quickly and easily activate to
42 summon immediate on-scene assistance from a security officer,
43 manager or supervisor, or other appropriate hotel staff member.

44 The bill also requires hotels to investigate these incidents and
45 report any criminal conduct to the appropriate law enforcement
46 agency.

47 Due to the unique nature of hotel work, hotel employees are
48 particularly vulnerable to unsafe working conditions because they

1 often work alone in hotel rooms, which sometimes may be
2 occupied. This solitary work places them at risk of assault,
3 including sexual assault, and sexual harassment. However, hotel
4 employers have not adequately addressed the safety concerns of
5 hotel employees.

6 It is necessary to protect hotel employees from violent acts,
7 including sexual assault, sexual harassment, or other inappropriate
8 or criminal conduct to which they may be subjected while
9 performing their duties.

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4439

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 24, 2019

The Assembly State and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 4439.

As amended, this bill requires hotels with 100 or more guest rooms to equip hotel employees performing housekeeping or room service duties, at no cost to the employees, with panic devices for their protection against inappropriate conduct by guests when they are servicing guest rooms by themselves. The bill excludes hotel employees who are subject to collective bargaining agreements that address panic devices, or other safety and reporting procedures for employees working alone in guest rooms.

Under the bill as amended, “panic device” means any two-way radio or other electronic device which is kept on an employee’s person when in a guest room, permitting the employee to communicate with, or otherwise summon immediate on-scene assistance from, a security officer, manager, supervisor, or other appropriate hotel staff.

The bill, as amended, requires hotel employers to refuse occupancy to a guest for three years if the guest is convicted of a crime in connection with an incident brought to the attention of the hotel employer by the pressing of a panic device.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- amend the definition of “hotel” to include only those establishments that contain at least 100 guest rooms;
- clarify the bill applies only to only to hotel employees performing housekeeping or room service duties;
- permit the employee to use the panic device if the employee reasonably believes that there is an immediate threat of assault;
- change the term “panic button” to “panic device” and revise the definition to mean any two-way radio or other electronic device kept on an employee’s person when in a guest room, permitting the employee to communicate with, or otherwise

summon immediate on-scene assistance from, a security officer, manager, supervisor, or other appropriate hotel staff;

- exclude hotel employees who are subject to collective bargaining agreements that address panic devices or other safety and reporting procedures for employees working alone in guest rooms;
- remove the requirement that the hotel employer conduct internal investigations, but require the employer to report an incident involving inappropriate conduct, rather than report only criminal conduct, to law enforcement;
- require a hotel to refuse occupancy to a guest for three years if the guest is convicted of a crime in connection with an incident involving a panic device or that is reported by a hotel employee; and
- require the hotel employer to notify only those hotel employees who are assigned to housekeeping or room service duties in the room in which an alleged incident occurred of the presence and location of a guest named on the list.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 4439

with Assembly Floor Amendments
(Proposed by Assemblyman ARMATO)

ADOPTED: MARCH 25, 2019

These General Assembly amendments permit, rather than require, a hotel to decline occupancy to a guest for a period of time if an accused guest is convicted of a crime in connection with an incident brought to the attention of the hotel employer.

The amendments also remove the requirement to report “inappropriate conduct.”

The amendments also correct internal references within the bill.



[Home](#) | [Administration](#) ▾ | [Key Initiatives](#) ▾ | [News and Events](#) ▾ | [Social](#) ▾ | [Contact Us](#) ▾

Newark, N.J.

Governor Murphy Signs Legislation to Protect Hotel Workers

06/11/2019

TRENTON – Today, Governor Phil Murphy signed S2986 into law, which will require hotels with over 100 guest rooms to provide panic devices in order to protect hotel employees from violent acts, such as sexual assault and sexual harassment, while performing housekeeping duties.

“We must protect the safety of workers in the hospitality industry,” **said Governor Murphy**. “This new law will ensure that hotel employees performing their duties will have the means to summon immediate assistance if they are in danger.”

“We are invested in the safety of all New Jersey’s workers, and we applaud the Governor and the legislature for this innovative approach to ensuring no employee is put in a dangerous situation while simply in pursuit of a family-sustaining income,” **said Labor Commissioner Robert Asaro-Angelo**.

Primary sponsors of the bill include Senate Majority Leader Loretta Weinberg, Senator Linda Greenstein, and Assemblymembers John Armato, Vince Mazzeo, and Cleopatra Tucker.

“No one should ever have to work in fear,” **said Senate Majority Leader Loretta Weinberg**. “The isolating nature of hotel employees servicing private rooms, puts them in a uniquely vulnerable position. A panic device to communicate to authorities outside of the room in the case of harassment and assault, will go a long way to ensuring their safety, security and workplace wellbeing.”

“Their line of work combines anonymity with seclusion and the risk of harassment and assault is a reality hotel workers face every day,” **said Senator Linda Greenstein**. “This law will give these employees a sense of safety most of us take for granted in our places of work and will empower them to protect themselves when in danger.”

“Hotel employees can often find themselves vulnerable when they enter hotel rooms for cleaning or other maintenance. Sometimes those rooms may be occupied, and they face the threat of assault or harassment,” **said Assemblyman John Armato**. “There are countless hotel employees in Atlantic City and across New Jersey who will benefit from carrying panic devices to give them greater peace of mind while on the job. All workers have the right to a safe and dignified work environment.”

“Everyone wants to feel safe while they’re at work. Ensuring that safety is one of our top priorities,” **said Assemblyman Vince Mazzeo**. “I’d like to thank the Hotel Local 54 union for raising their voices to support this legislation. This grassroots effort will hopefully translate to a safer workplace for all hotel employees.”

“Keeping workers safe is non-negotiable,” **said Assemblywoman Cleopatra Tucker**. “This measure will help ensure that these workers can earn a living in an environment where security is a priority and the necessary

precautions are put into place.”

[Back to Top](#)

Powered by  [Translate](#) [Select Language](#)

[Translator Disclaimer](#)

Governor Phil Murphy

Statewide

Home

Administration

- [Governor Phil Murphy](#)
- [Lt. Governor Sheila Oliver](#)
- [First Lady Tammy Snyder Murphy](#)
- [Cabinet](#)
- [Boards, Commissions & Authorities](#)
- [Internship](#)
- [Opportunities](#)
- [Governor's Residence - Drumthwacket](#)

Key Initiatives

- [Economy & Jobs](#)
- [Education](#)
- [Environment](#)
- [Health](#)
- [Law & Justice](#)
- [Transportation](#)

News & Events

- [Press Releases](#)
- [Public Addresses](#)
- [Executive Orders](#)
- [Statements on Legislation](#)
- [Administration Reports](#)
- [Transition Reports](#)
- [Press Kits](#)

Social

- [Facebook](#)
- [Twitter](#)
- [Instagram](#)
- [Snapchat](#)
- [YouTube](#)

Contact Us

- [Scheduling Requests](#)
- [Contact Us](#)

NJ Home

- [Services A to Z](#)
- [Departments/Agencies](#)
- [FAQs](#)
- [Contact Us](#)
- [Privacy Notice](#)
- [Legal Statement & Disclaimers](#)
- [Accessibility](#)
- [Statement](#)



Copyright © State of New Jersey, 1996-2018
Office of Governor PO Box 001
Trenton, NJ 08625
609-292-6000

powered by **njoit**

YOURMONEY.NJ.GOV