

## **AN INITIATIVE MEASURE PROPOSING TO REENACT THE CITY'S EXISTING HOTEL WORKER PROTECTION AND MINIMUM WAGE ORDINANCES TO PREVENT THEIR FUTURE AMENDMENT WITHOUT SUBSEQUENT VOTER APPROVAL**

The West Hollywood Municipal Code, Chapter 5.127, extends certain protections to hotel workers, including:

- Hotel employers must supply certain workers with electronic contact devices, for summoning on-scene assistance and reporting threatening conduct. Employers must provide workers with training, post notices of this practice, and must not take adverse action against a worker for using the device and reporting such conduct.
- Prohibits requiring workers to clean more than 4,000 square feet of floorspace in any eight-hour workday (3,500 square feet for hotels with 40 or more rooms), unless the employer pays twice the regular rate of pay for all hours worked. There are additional square footage restrictions for checkout and additional bedrooms.
- Prohibits requiring hotel workers from working more than ten hours in any workday unless the worker provides written consent, after being advised that he or she may decline..
- Hotel employers must offer laid-off workers, in writing, all job positions which become available for which they are qualified and offer hiring preferences to said workers according to listed priorities. This provision was tied to the COVID emergency and this recall period expired in April 2024; but, the City Council may reenact the right of recall for future emergencies by resolution.
- When a hotel changes control, the successor hotel must, for 90 days after the hotel reopens, retain/hire from among workers that worked for the previous operator, subject to exemptions.

The West Hollywood City Council also adopted Sections 5.130.020, 5.130.030 and 5.130.050, providing the following for workers:

- Sets a local minimum wage, subject to annual CPI increases and other conditions. (Currently \$19.61 for hotel employees and \$19.08 for non-hotel employees).
- Sets a minimum amount of accrued paid and unpaid sick, vacation and personal leave time.
- Requires equitable distribution of service charges to the worker(s) who performed the service(s).

This initiative does not alter these substantive provisions. Rather, it seeks to reenact them as an initiative measure (noting only the annual CPI increase for hotel employees is covered by this initiative; but, the leave and service charge provisions apply to all employees). Under State law, if this initiative secures sufficient resident voter signatures to qualify for the ballot (10% of City

registered voters), and if either (i) the City Council adopts this initiative as an ordinance without an election or (ii) the City Council places it on the ballot and a majority of West Hollywood voters approve it, the provisions outlined above could not be amended by a future City Council, except as provided by the initiative measure itself.

This initiative measure permits the City Council to make limited amendments without an election, provided the amendments extend greater protections or increase the minimum wage and benefits to hotel workers beyond than provided therein. Otherwise, the City could not amend these provisions without subsequent majority voter approval.

/s/ Lauren Langer, City Attorney