



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 967

PRINTER'S NO. 1565

PRIME SPONSOR: Pisciotano

COST / (SAVINGS)

FUND	FY 2022/23	FY 2023/24
General Fund	\$0	See Fiscal Impact

SUMMARY:

House Bill 967, Printer's Number 1565 would require a subset of hotels and lodging establishments to provide their employees working in guest rooms with safety devices to alert other staff that assistance is needed.

ANALYSIS:

The bill requires hotels with at least 150 guest rooms to provide safety devices to hotel employees so that the employees may call for help when working in a guest's room. Employees may use the device if they believe a crime is ongoing, if there is an immediate threat of sexual assault, sexual harassment, other act of violence or other inappropriate conduct, or if there is any other emergency.

Hotel employees may cease work and leave the area if any of the perceived dangers are occurring and wait for assistance. The bill provides a non-retaliation clause for employees who leave the area.

The bill lays out a set of procedures that managers, supervisors, security officers or other hotel representatives must follow after an employee uses a device to call for assistance. It provides for optional recordkeeping to track reports by employees of crimes or inappropriate conduct towards staff.

The Department of Labor and Industry is required to develop an education program for hotel employees, informing them of the use of employee safety devices, employee rights, harassment by guests and employees and sexual harassment and assault prevention and active bystander intervention. Hotel employers must post written notices concerning the protections under the bill for employees.

The bill provides for penalties on hotel employers who do not provide employee safety devices to hotel employees. The department may collect an administrative penalty not to exceed \$5,000 for the first violation, and \$10,000 for each subsequent violation.

The department will adopt rules and regulations to implement the act.

Finally, the bill does not apply if a collective bargaining agreement addresses the issuance of employee safety devices, or otherwise addresses safety and reporting procedures for hotel employees working alone in guest rooms.

FISCAL IMPACT:

The bill would create new enforcement duties for the Department of Labor and Industry. The department will also need to promulgate regulations, develop the educational program and investigate complaints received. If investigations lead to enforcement action, the department will need to carry out those responsibilities as well.

The Bureau of Labor Law Compliance is responsible for enforcing labor laws within the commonwealth. The department would likely investigate violations of the bill on a complaint basis. Employer compliance with the bill is difficult to project, so the number of complaints is uncertain. If the department would require additional labor law investigators, each additional FTE would cost approximately \$86,350 for salary and benefits, based on current pay ranges for these positions and benefit factor data for the department submitted with the executive budget.

Development of an educational program covering the use of an employee safety device, hotel workers' rights under the bill and different harassment and prevention will require staff time and resources. Some of the education program can likely be drawn from existing materials, which could reduce costs. Exact costs for development of the educational program are indeterminate.

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House Appropriations Committee (D)

DATE: June 14, 2023

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.