
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1944 Session of
2021

INTRODUCED BY PISCIOTTANO, DELLOSO, D. WILLIAMS, McNEILL,
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SEPTEMBER 30, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, SEPTEMBER 30, 2021

AN ACT

1 Amending Title 48 (Lodging and Housing) of the Pennsylvania
2 Consolidated Statutes, in hotels, providing for protection of
3 hotel employees.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 13 of Title 48 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER F

9 PROTECTION OF HOTEL EMPLOYEES

10 Sec.

11 1361. Definitions.

12 1362. Employee safety device for hotel employees.

13 1363. Penalties.

14 1364. Rules and regulations.

15 1365. Applicability.

16 § 1361. Definitions.

17 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Department." The Department of Labor and Industry of the
4 Commonwealth.

5 "Employee safety device." A two-way radio or other electric
6 device that is kept on a hotel employee's person when the hotel
7 employee is on duty in a guest room and that permits a hotel
8 employee to communicate with or otherwise effectively summon
9 immediate on-scene assistance from a security officer, manager
10 or supervisor or other appropriate hotel staff member.

11 "Hotel." Any of the following with at least 100 guest rooms:

12 (1) A hotel, motel, inn, guesthouse or other building
13 that holds itself out by any means, including advertising,
14 license, registration with any innkeeper's group, convention
15 listing association, travel publication or similar
16 association or with a government agency, as being available
17 to provide overnight lodging or use of facility space for
18 consideration to individuals seeking temporary accommodation.

19 (2) A place that advertises to the public at large or
20 any segment of the public that it will provide beds, sanitary
21 facilities or other space for a temporary period to members
22 of the public at large.

23 (3) A place recognized as a hostelry.

24 "Hotel employee." An individual who works part time or full
25 time performing housekeeping duties or room service duties at a
26 hotel for or under the direction of the hotel employer or any
27 subcontractor of the hotel employer for wages, salary or
28 remuneration of any type under contract or subcontract of
29 employment.

30 "Hotel employer." A person, including a corporate officer or

1 executive, who directly or indirectly or through an agent or any
2 other person, including through the service of a temporary
3 agency, employs or exercises control over the wages, hours or
4 working conditions of a person employed by a hotel.

5 § 1362. Employee safety device for hotel employees.

6 (a) General rule.--A hotel employer shall provide an
7 employee safety device to each hotel employee assigned to work
8 in a guest room without any other hotel employees present. A
9 hotel employer may provide an employee safety device to other
10 employees at its discretion. The employee safety device shall be
11 provided at no cost to the hotel employee. The following shall
12 apply:

13 (1) A hotel employee may use the employee safety device
14 if the hotel employee believes that there is:

15 (i) an ongoing crime in the hotel employee's
16 presence;

17 (ii) an immediate threat of sexual assault, sexual
18 harassment, other act of violence or other inappropriate
19 conduct; or

20 (iii) any other emergency.

21 (2) The hotel employee may cease work and leave the
22 immediate area of the perceived danger or inappropriate
23 conduct to await the arrival of assistance. No adverse action
24 may be taken against the hotel employee for such action.

25 (b) Activation of employee safety device.--Upon a hotel
26 employee activating an employee safety device, an appropriate
27 staff member of the hotel, manager, supervisor or security
28 officer shall respond promptly to the location of the hotel
29 employee. The hotel employer shall:

30 (1) Immediately reassign the hotel employee who

1 activated the employee safety device in response to an
2 immediate threat under subsection (a) (1) (ii) or another crime
3 or emergency that represented a danger to the safety of the
4 hotel employee to a different work area away from the guest
5 room of the guest who caused the threat or other crime or
6 emergency for the duration of the guest's stay at the hotel,
7 with no loss of hours or wages to the reassigned hotel
8 employee.

9 (2) Notify all hotel employees who are assigned to
10 housekeeping or room service duties of the guest room in
11 which the reported incident occurred and of the presence and
12 location of the reported guest.

13 (3) Provide hotel employees, other than the hotel
14 employee who activated the employee safety device, with a
15 partner hotel employee, manager or security person when
16 servicing the guest room of the guest who caused an immediate
17 threat under subsection (a) (1) (ii) or other crime or
18 emergency that represented a danger to the safety of the
19 hotel employee for the duration of the guest's stay at the
20 hotel.

21 (c) Records.--A hotel employer may keep a record of a report
22 made by a hotel employee that a guest has committed sexual
23 assault, sexual harassment, another crime of violence or other
24 inappropriate conduct toward a hotel employee and may maintain
25 the name of the guest on a list following the incident. A hotel
26 employer that maintains the name of a guest on a list following
27 a report by a hotel employee under subsection (a) (1) may notify
28 all hotel employees who are assigned to housekeeping or room
29 service duties of the presence and location in the hotel of a
30 guest on the list.

1 (d) Protection from retaliation.--A hotel employee who
2 reports an incident under this subchapter shall be protected
3 from retaliation by hotel employers and fellow hotel employees.

4 (e) Education program.--The department shall develop a
5 program to be maintained by the hotel employer, which may
6 include written information, to educate hotel employees
7 regarding:

8 (1) the use of an employee safety device and a hotel
9 employee's rights in the event that a hotel employee
10 activates an employee safety device, and encourage hotel
11 employees to activate an employee safety device when
12 appropriate;

13 (2) harassment and other inappropriate conduct by fellow
14 employees; and

15 (3) sexual harassment and assault prevention and active
16 bystander intervention.

17 (f) Notice to hotel employees.--A hotel employer shall
18 provide hotel employees with written notice and post in
19 prominent locations in the workplace a list of the protections
20 available to hotel employees under this subchapter with contact
21 information for the entities from whom the hotel employees may
22 seek assistance.

23 § 1363. Penalties.

24 A hotel employer that does not provide an employee safety
25 device to each hotel employee as provided under this subchapter
26 shall be subject to a civil penalty in an amount not to exceed
27 \$5,000 for the first violation and \$10,000 for each subsequent
28 violation, collectable by the department.

29 § 1364. Rules and regulations.

30 The department shall adopt rules and regulations to

1 effectuate the purposes of this subchapter.

2 § 1365. Applicability.

3 This subchapter shall not apply if the terms of a collective
4 bargaining agreement address the issuance of employee safety
5 devices to hotel employees or otherwise address safety and
6 reporting procedures for hotel employees working in guest rooms
7 without any other hotel employees present.

8 Section 2. This act shall take effect in 60 days.