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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 967 Session of  
2023

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INTRODUCED BY PISCIOTTANO, GREEN, MADDEN, SCHLOSSBERG, RABB,  
SANCHEZ, KHAN, KINSEY, CEPEDA-FREYTIZ, DELLOSO, HILL-EVANS,  
DEASY AND CONKLIN, APRIL 24, 2023

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 24, 2023

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AN ACT

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

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

18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

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

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

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

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

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

22 (3) A place recognized as a hostelry.

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

29 "Hotel employer." A person, including a corporate officer or  
30 executive, who directly or indirectly or through an agent or any

1 other person, including through the service of a temporary  
2 agency, employs or exercises control over the wages, hours or  
3 working conditions of a person employed by a hotel.

4 § 1362. Employee safety device for hotel employees.

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

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

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

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

19 (iii) any other emergency.

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

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

29 (1) Immediately reassign the hotel employee who  
30 activated the employee safety device in response to an

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

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

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

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

30 (d) Protection from retaliation.--A hotel employee who

1 reports an incident under this subchapter shall be protected  
2 from retaliation by hotel employers and fellow hotel employees.

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

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

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

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

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

22 § 1363. Penalties.

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

28 § 1364. Rules and regulations.

29 The department shall adopt rules and regulations to  
30 effectuate the purposes of this subchapter.

1 § 1365. Applicability.

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

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