

Amendment 4 to Hotel Safety Protections (CB 119557)

Sponsor: CM Mosqueda and CM González

Employer Coverage and Effective Date

On page 5 of version D5, after line 6, amend the following Section as shown below:

14.26.040 Employer coverage

For the purposes of this Chapter 14.26, covered employers are limited to those who either (a) own, control, or operate a hotel in the City or (b) own, control, or operate an ancillary hotel business in the City, ~~with 50 or more employees worldwide regardless of where those employees are employed, including but not limited to chains, integrated enterprises, or franchises associated with a franchisor or network of franchises that employ 50 or more employees in aggregate.~~ Covered employers are also limited to those who are party to a transfer document that effects a change in control and are either (a) an outgoing hotel employer or (b) an incoming hotel employer.

~~B. To determine the number of employees for the current calendar year, the calculation shall be based upon:~~

~~1. The average number per calendar week of employees who worked for compensation during the preceding calendar year for any and all weeks during which at least one employee worked for compensation. For employers that did not have any employees during the previous calendar year, the number of employees will be calculated based upon the average number per calendar week of employees who worked for compensation during the first 90 calendar days of the current year in which the employer engaged in business; and~~

~~2. All employees who worked for compensation shall be counted, including but not limited to:~~

- ~~a. Employees who are not covered by this Chapter 14.29;~~
- ~~b. Employees who worked inside the City;~~
- ~~c. Employees who worked outside the City; and~~
- ~~d. Employees who worked in full time employment, part time~~

~~employment, joint employment, temporary employment, or through the services of a temporary services or staffing agency or similar entity.~~

~~C. Separate entities that form an integrated enterprise shall be considered a single employer under this Chapter 14.29. Separate entities will be considered an integrated enterprise and a single employer under this Chapter 14.29 where a separate entity controls the operation of another entity. The factors to consider include, but are not limited to:~~

- ~~1. Degree of interrelation between the operations of multiple entities;~~
- ~~2. Degree to which the entities share common management;~~
- ~~3. Centralized control of labor relations; and~~
- ~~4. Degree of common ownership or financial control over the entities.~~

On page 32 of version D5, after line 9, amend the following Section as shown below:

14.26.260 Effective date

A.—~~For ancillary hotel businesses with between 50 and 250 employees that contract, lease, or sublease with a hotel as of the date of passage of this Chapter 14.26, the provisions of this Chapter 14.26 shall take effect on July 1, 2025.~~

B.—~~For all other covered employers, the~~ The provisions of this Chapter 14.26 shall take effect on July 1, 2020.

Renumber sections and correct any internal references accordingly.

Effect: This amendment would (1) cover all ancillary hotel businesses regardless of employee size by removing threshold coverage requirement of 50 or more employees worldwide and (2) create a single implementation date of July 1, 2020 by removing a delayed implementation date for certain ancillary hotel businesses.