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CONFIDENTIAL ATTORNEY-CLIENT
PRIVILEGED MEMORANDUM

DATE: December 11, 2013

TO: Hotel Association of New York City, Inc.
Labor Relations Members
General Managers, Controllers and Human Resources Directors

FROM: Kane Kessler, P.C.
Labor and Employment Law Department

RE: Panic Devices

At the Human Resources Meeting held on Monday, December 9th, we were told that some Business Agents have informed Hotels that the Union must approve the panic device system selected by the Hotel and that the Union Business Agent or Vice President must observe a trial of the device system in order to obtain Union approval. We have repeatedly told Hotels that this is not the case.

We have confirmed with Union leadership that Union approval is not required so long as the panic device system meets the requirements of IWA Article 70:

(B) Devices

“... the EMPLOYER will equip Room Attendants, Housekeeping Attendants, Minibar Attendants, Room Service Servers and any other employee who is required to enter an occupied guest room with devices to be carried on their persons at work that they can quickly and easily activate to effectively summon prompt assistance to their location. It is recognized that because of the varying size and physical layout of each hotel, different devices may be appropriate for different hotels.”

and further satisfies the following:

1. Signal location only after the device has been activated by the employee;
2. Identify location within the guest room, subject to technological and building limitations;
3. Allow the employee to see or hear confirmation that the signal from the device has been transmitted;
4. Allow the employee to know the device is connected;
5. Conduct a site survey to determine frequency density; and
6. Conduct routine testing of systems and devices.

We attach herein a suggested notification letter to the Union apprising them of the system selected by the Hotel.

If you have any questions or would like us to review the language in your contracts and menus, please do not hesitate to contact David R. Rothfeld, Judith A. Stoll, Robert Sacks, Lois M. Traub, Niki J. Franzitta or Alex Soric.

Enc.

cc: Joseph E. Spinnato, Esq.
Geoffrey A. Mills, Chairman

Peter Ward, President
New York Hotel & Motel Trades Council
709 Eighth Ave., 5th floor
New York, New York 10036

Dear Mr. Ward:

Please be advised that the _____ Hotel has selected
_____ as its “panic device” supplier consistent with the requirements of Article 70
of the IWA and as communicated to us by the Hotel Association of New York City, Inc.

If you or your representatives have any questions, kindly contact the undersigned.

Thank you.

Very truly yours,