

**KANE KESSLER, P.C.**  
**1350 Avenue of the Americas**  
**New York, N.Y. 10019**  
**(212) 541-6222**  
**fax (212) 541-9799**  
**Direct dial (212) 519-5154**  
[drothfeld@kanekessler.com](mailto:drothfeld@kanekessler.com)

**DATE:** April 17, 2013

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

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

**RE:** Porterage Arbitration: April 30, 2013; 2:00 p.m.

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As we have previously reported, Paragraph 18 of the 2012 Memorandum of Understanding between the Hotel Association and the Union provides as follows:

“Groups and Porterage Study Committee. Within one (1) week of the full ratification of this Agreement, the parties agree to convene a study committee to address the claim by the Union that hotels have been misapplying Article 50 (A)(2), (A)(3), and (A)(4) to the detriment of the Bell and Door staff. If the parties cannot reach agreement within sixty (60) days from the date of the full ratification of this Agreement, such matter shall be referred to a panel of the three (3) Impartial Chairpersons, who shall act as interest arbitrators. The decision of the panel must be by a majority opinion. No existing rates, terms or conditions shall be reduced by the panel, which shall have broad powers to fashion an appropriate remedy by selecting from one (1) of the following options: to establish a reasonable period of time for the definition of a “common arrival” of a group; to determine a reasonable implementation of a group booking to a master account; and to order additional compensation, including an increase in the hourly rate for Bell and Door staff not to exceed two dollars (\$2.00) per hour over the term of the Agreement and an increase in the porterage rate not to exceed four percent (4%) over and above the existing wage increases provided for during the term of this Agreement.”

In light of the fact that discussions with the Union have failed to produce a settlement, the Union has now filed for arbitration.

All members are welcome to attend the hearing.

If you have any questions, do not hesitate to contact David R. Rothfeld, Judith A. Stoll, Stephen Steinbrecher, Niki J. Franzitta, Lois M. Traub, Alexander Soric or Robert L. Sacks.

Enc.

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