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CONFIDENTIAL ATTORNEY-CLIENT
PRIVILEGED MEMORANDUM

DATE: February 25, 2014

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: Settlement Signings at Hotel Association Mediations

As most Hotels are aware, the schedules for Hotel Association Mediations each Friday are usually booked solid, with hearings often scheduled at 15-minute intervals throughout the day, without lunch or other breaks. We are seeking the cooperation of all Hotels that no settlement signing be scheduled for mediation unless and until all terms of the agreement have been agreed upon by both the Hotel and the Union.

When a matter is scheduled as a settlement signing, as Hotels have previously been notified, the settlement is drafted by us in advance of the signing and is emailed to the Hotel prior to the mediation hearing for review and approval. While 15 minutes is generally enough time to sign off on an agreement that has already been drafted, reviewed and agreed-upon, it is not enough time for the parties to engage in lengthy discussions in order to work out unresolved issues regarding a grievance. All too frequently, a matter that was prematurely scheduled as a settlement signing (before the parties actually agreed upon all aspects of the settlement) can result in extensive and unfair delays of up to hours for all other scheduled hearings. In order to avoid these unnecessary delays, it is critical that Hotels only schedule (or agree for the Union to schedule) a settlement signing when all relevant terms of a grievance have been agreed upon. Once that is done, contact us to draft the agreement. We believe that adherence to the foregoing will facilitate expedited and effective mediation hearings and will result in shorter wait times for Hotels.

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

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