

New Jersey Law Aims to Reduce Sexual Assault and Harassment of Hotel Workers

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In an attempt to protect hotel employees such as housekeepers and room service attendants from violent acts by hotel guests, including sexual assault and harassment, New Jersey recently passed a novel [law](#) requiring New Jersey hotels with more than 100 guest rooms to arm hotel employees assigned to work in a guest room alone with a free panic button device. Under the law, hotel employees who activate the button on the reasonable belief there is an ongoing crime, immediate threat of assault or harassment, or other emergency, can immediately leave the guest's room and await assistance without facing an adverse employment action.

This law also requires covered hotel employers to adhere to the following protocol when a hotel employee utilizes his/her panic button:

1. Record all accusations by hotel employees regarding an act of violence or other inappropriate conduct by a guest.
2. Reassign hotel employees who utilize a panic button to a work area away from the guest in question.
3. Maintain a list of all guests accused of violence/inappropriate conduct for a period of five years from the date of the incident.
4. Alert all other hotel employees who are assigned to duties of the room in which an alleged incident occurred of the guest in question and provide them the right to service that room with a partner or opt out of servicing that room for the duration of the guest's stay.
5. Conduct an internal investigation to determine as much identifying information about an accused guest as reasonably possible and at the conclusion of the investigation, if the victim provides a certified statement of an incident of assault or sexual harassment or if the hotel independently confirms the victim's description of the incident, ban the guest from the hotel for at least three years. The three-year ban also applies to guests who are convicted of a crime in connection with the incident in question.
6. Report all incidents of alleged criminal or inappropriate conduct by a guest to law enforcement.

In addition, the law requires covered hotel employers to develop a program that educates its employees about the use of panic button devices and to advise its guests of the presence of such devices (either by including a disclosure in the hotel terms and conditions or placing signs on the interior side of guest room doors).

The law takes effect January 2020. Failure to comply with the law will result in a fine (up to \$5,000 for a first violation and \$10,000 for each subsequent violation).

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