



SEATTLE HOTEL ASSOCIATION

SERVING OUR COMMUNITY

Seattle Hotel Employee Protection Ordinance Toolkit*

June 26, 2020

**This document incorporates information from the
Final Director's Rules of the Seattle Office of Labor Standards,
June 26, 2020*

- SMC 14.26 Protecting Employees From Violent or Harassing Conduct
- SMC 14.27 Protecting Hotel Employees From Injury
- SMC 14.28 Increasing Access to Medical Care For Hotel Employees
- SMC 14.29 Hotel Employee Job Retention

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Compliance with Seattle laws and municipal codes is the responsibility of each individual business owner and operator. The following material is intended only to provide general information and should not be viewed as legal advice.

Seattle Hotel Employee Protections Ordinances

Ordinance	Pertains to	Effective Date	Compliance Highlights
SMC.14.26 Protecting Employees From Violent or Harassing Conduct (Panic buttons/protections against assaults and harassing conduct)	Hotel or motel with 60 or more guest rooms Applies to all ancillary hotel businesses.	July 1, 2020	<ul style="list-style-type: none"> ✓ Employees working alone in guest rooms must have a panic button. ✓ Device must signal employee location ✓ If they use the device, employee may stop working, retreat to safety and wait for help. ✓ Guests must be notified about the policy prior to or at the time of check in. ✓ Hotel must have a process and procedure with requirements in event of an allegation of violent or harassing conduct.
SMC 14.27 Protecting Hotel Employees From Injury (Setting maximum workloads, room cleaning, square footage)	Hotel or motel with 100 or more guest rooms Does not apply to ancillary businesses	July 1, 2020	<ul style="list-style-type: none"> ✓ An employer shall not require an employee to perform room cleanings totaling more than the maximum floor space in a workday that is eight hours or longer. When an employee performs ten or more strenuous room cleanings in a workday that is eight hours or longer, the maximum floor space shall be reduced by 500 square feet for the tenth strenuous room cleaning and for each strenuous room cleaning thereafter. Strenuous room cleaning is (1) a checkout room, (2) a stayover room that includes cleaning, removal, or setting up of a cot, rollout bed, hideaway sofa, pet bed, or crib, or (3) a stayover room that has not received a room cleaning for more than 36 hours; ✓ For an employee performing room cleanings for fewer than 8 hours in a workday, the maximum floor space outlined in subsection 14.27.50.A shall be prorated according to the actual number of hours that the employee performed room cleanings that workday. ✓ Employees may consent to clean more, at three times regular pay for the period spent cleaning in excess of 4,500 square feet.
SMC 14.28 Increasing Access to Medical Care For Hotel Employees (Healthcare insurance)	Hotel or motel with 100 or more guest rooms Applies to ancillary businesses with 50+ employees worldwide.	Ancillary hotel businesses with 50 to 250 employees as of 9/16/2019, effective upon the later of July 1, 2025 or the earliest annual open enrollment period for health coverage, if offered, after 7/1/2025. All other covered employers, effective upon the later of July 1, 2020 or the earliest annual open enrollment period for health coverage,	<ul style="list-style-type: none"> ✓ Employees who work for a covered employer at a large hotel for an average of 80 hours or more per month are entitled to a specified monthly healthcare expenditure by the employer. ✓ Employer can choose: Additional compensation paid directly to the covered employee, payments to a third party, such as to an insurance carrier or trust, or into a tax favored health programs, or average per-capita monthly expenditures for healthcare services by the employer's self-insured and/or self-funded insurance program(s). ✓ Employee can waive insurance, but must use the form provided by OLS

		if offered, after July 1, 2020.	
SMC 14.29 Hotel Employee Job Retention (Job retention)	Hotel or motel with 60 or more guest rooms “Ancillary hotel businesses” with 50 or more employees worldwide	For ancillary hotel businesses with 50 and 250 employees that contract, lease, or sublease with a hotel as of Sept. 16, 2019, the provisions shall take effect on July 1, 2025. For all other covered employers, the provisions take effect on July 1, 2020.	✓ When a hotel changes ownership or management, all employees with at least one month of employment go on a preferential hiring list. ✓ The new operator must hire from that list for six months. If rehired, the employees may be terminated only for just cause within the first 90 days and have other job protections.

Ancillary Hotel Business: Does it Pertain to You?

In September 2019, the Seattle City Council passed a package of four ordinances designed to protect hotel employees which could apply to some non-hotel businesses or ‘ancillary’ hotel businesses. The ordinances relate to employee safety protections, protecting employees from violent or harassing conduct, increasing access to medical care for employees, and job retention. The ordinance language defines “ancillary hotel businesses” in three of the four ordinances as:

“Ancillary hotel business” means any business that:

- routinely contracts with the hotel for services in conjunction with the hotel’s purpose,
- leases or sublets space at the site of the hotel for services in conjunction with the hotel’s purpose; **or**
- provides food and beverages, to hotel guests and to the public, with an entrance within the hotel premises

“Hotel’s purpose” means services in conjunction with the hotel’s provision of short-term lodging including food or beverage services, recreational services, conference rooms, convention services, laundry services, and parking.

“Entrance with the hotel premises” An ancillary hotel business has an entrance “within the hotel premises” when the entrance opens into the hotel premises and is promoted and used by the business’s guests as an access point into the business. On the other hand, a passage that is promoted as and used by the business’s customers to access a restroom facility located within the hotel premises is not considered an “entrance within the hotel.” A sign identifying the business for purpose of navigation to and from the restroom facility is not “promoting” the business.

Are you an ‘ancillary hotel business?’

Examples include:

- ✓ Leased space from the hotel with an entrance that opens into the hotel, promoted, and used by hotel guests as access into your business
- ✓ Parking garages onsite, or that contract with the hotel to provide parking for hotel guests
- ✓ Restaurants located within the hotel

You may be exempt if you:

- ✓ Lease space from the hotel, but do not share a primary entrance into the hotel
- ✓ Lease space from the hotel within the building, but have a separate entrance from the hotel
- ✓ Lease space from the hotel, have a separate entrance but share access to a hotel restroom facility

Ancillary Hotel Businesses – What Takes Effect, When and For Whom:

Ordinance	Title	Qualifying Definition	Effective Date
SMC.14.26	Protecting Employees From Violent or Harassing Conduct	All ancillary businesses	July 1, 2020
SMC 14.28	Increasing Access to Medical Care For Hotel Employees	Ancillary hotel business with 50 or more employees worldwide.	Ancillary hotel businesses between 50 and 250 employees that contract, lease, or sublease with a hotel shall take effect upon the later of July 1, 2025 or the earliest annual open enrollment period for health coverage, if offered, after July 1, 2025. All other covered employers, effective upon the later of July 1, 2020 or the earliest annual open enrollment period for health coverage, if offered, after July 1, 2020.
SMC 14.29	Hotel Employee Job Retention	Ancillary hotel business with 50 or more employees worldwide.	Ancillary hotel businesses between 50 and 250 employees worldwide that contract, lease, or sublease with a hotel as of Sept. 16, 2019 shall take effect date July 1, 2025. More than 250 employees, effective date is July 1, 2020

Seattle Hotel Employee Protections Ordinance Notification Checklist

Compliance with the laws involves ensuring employees and guests are notified of the various protections in the ordinances. Because multiple notifications are involved for each of the ordinances, consider this checklist to help ensure your hotel has provided the needed notifications. Please note that notifications must be provided to employees in English and in the employee's primary language. The Office of Labor Standards (OLS) may assess fines of \$1,000 or more for violations.

SMC 14.26 Protecting Employees From Violent or Harassing Conduct

- OLS Workplace Poster (SMC 14.26)
- Guest room door signage – updated to current ordinance reference (SMC 14.26) when replacing signs previously posted under SMC 14.25.
- Guests-Notification of hotel policy protecting employees, provided prior or upon check-in

Notifications in the event of an alleged incident of violent or harassing conduct

- Accused Guests-Written notice of minimum steps taken to safeguard employees of an alleged incident of violent or harassing conduct
- Employee-Copy of written notice provided accused guest
- If Directed by OLS-Notification of an investigation by OLS of an alleged incident
- Optional-Employers may require employees to provide reasonable notice of intent to take PSST in the event of an alleged incident

SMC 14.27 Protecting Hotel Employees From Injury

- OLS Workplace Poster (SMC 14.27)
- Employees—Employee must provide written notice to request removal from the 'voluntary opt-in list'.

SMC 14.28 Increasing Access to Medical Care For Hotel Employees

- OLS Workplace Poster (SMC 14.28)
- Optional-If employee waives the employer's offer of the monthly required healthcare expenditure, employers may provide the OLS waiver form and written disclosure of the rights being waived prior to employee waiving the employer's offer of the monthly required healthcare expenditure. Waiver form and rights being waived must be provided together.

SMC 14.29 Hotel Employee Job Retention

- OLS Workplace Poster (SMC 14.29)
- Employees-Outgoing hotel employer shall post written notice in a conspicuous location of the change in control at the affected hotel or ancillary hotel business within five (5) business days following the execution of the transfer document. Notice must contain name and contact information for both outgoing and incoming business as well as effective date.
- Employees—Incoming hotel must keep ownership notification posted for 180 after owner change.

Protecting Employees From Violent or Harassing Conduct-Compliance Checklist

The ordinance utilizes panic button systems in combination with policies and procedures to protect employees. The following checklist covers major areas, but businesses should read the ordinance carefully for compliance components and specifics when choosing a system and developing policies/procedures to ensure compliance. Read the ordinance: SMC 14.26 [Protecting Employees From Violent or Harassing Conduct](#) and final Director's Rules.

1. **Contract with a panic button company and make sure that the device and system meets the following specific Seattle requirements:**
 - Easy activation.** Under the ordinance, an employee needs to be able to easily activate the panic button device. That's further defined by the rules as sustaining a strong signal to indicate a problem or incident, an immediate signal. If the device requires the employee to enter a passcode, click through multiple screens or applications or wait to turn on, its not immediate and therefore not in compliance.
 - Identifies employee's specific location.** The panic button must provide enough information about the employee's location to allow responders to accurately identify the employee's specific location.
 - Reliability.** The panic button must reliably work in all locations that the employee performs their work and during all shifts that the employee works.
 - Signal clarity.** The panic button's signal must be distinguishable from other sounds or other audible or visual alarms. The activation of one panic button must not obscure the activation of others.
2. **Post signage on the back of each guest room door (see requirements section 14.26.060) to include:**
 - Header "The Law Protects Hotel Housekeepers and Other Employees From Violent Assault and Sexual Harassment"
 - Citation to [Chapter 14.26](#), and language noted in the ordinance (see requirements in section above).
 - The signage is written clearly and in 18-point font size.
 - Note: Signage installed prior to July1, 2020 will not be out of compliance for referencing to Chapter 14.25 instead of [Chapter 14.26](#); but signage must be updated to reference the current ordinance and language of [Chapter 14.26](#) whenever the signs are replaced after July 1, 2020.
3. **Draft a violence and harassing conduct prevention policy that covers:**
 - How the hotel will respond immediately when a panic button is deployed,
 - How the hotel will receive and respond to reported violations and allegations,
 - How the hotel will inform guests of its policy,
 - How the hotel will inform employees of its policy and procedure on an annual basis, and
 - How the hotel will inform newly hired employees of the policy and procedure.
4. **Provide a panic button to each hotel employee assigned to work in a guest room or assigned to deliver items to a guest room and provide access to a panic button to each employee of an ancillary hotel business who is assigned to work in a guest's room or to make deliveries to a guest's room.**
 - Develop a process or procedure to ensure devices are provided to employees and ancillaries
 - At hire and on an annual basis, inform employees of the policy, the employer's procedure for addressing allegations of violent or harassing conduct by guests, and how to report violent or harassing conduct by guests.
5. **Provide documents to employees in English, Spanish and other languages:**
 - Workplace poster that meets requirements in the ordinance.
 - Provide notification to guests prior to or upon check-in of the of the policy to protect employees from violent or harassing conduct.

Hotel Name

[SMC 14.28](#) Improving Access to Medical Care for Hotel Employees

To comply with the requirements of Seattle Municipal Code Chapter 14.28 (Improving Access to Medical Care for Hotel Employees), the *Hotel Name* requires the information noted below. It is the employee's responsibility to promptly notify Human Resources of any changes to the information included below at any time during his/her employment with the Hotel. Any questions about this form should be directed to Human Resources.

Employee Name: _____

Department/Position: _____

Date: _____

Please list all persons for whom you are allowed an exemption under the Internal Revenue Code:

- The employee;
- The employee's spouse or WA State Registered Domestic Partner; and
- All persons for whom the employee is allowed exemption under the Internal Revenue Code (e.g., dependent children).

Dependent Type (e.g. Employee, Spouse/Registered Domestic Partner, Child, or Other)	Gender	Date of Birth (1/2/2020)	Full Name

By signing below, I certify under the penalty of perjury of the laws of the state of Washington that the information I have provided is complete and accurate. I understand that providing any false or misleading information will lead to discipline, up to and including my termination of employment.

Employee Signature: _____

Date: _____

HOTEL EMPLOYEES JOB RETENTION

[SMC 14.29](#)

Definitions:

“Seniority,” as defined in the ordinance is determined by the employee’s seniority within their most recent classification. If the employee’s classification seniority is unavailable to the incoming employer, the employee’s seniority is determined by the employee’s start date of hire as indicated on the outgoing employer’s preferential hiring list.

Offer of employment - Ten business days calculation

1. Business Day. “Business day” means a day upon which normal business operations are conducted by the employer.
2. Delivery by personal service or in-person delivery. If the written offer of employment is delivered in person, the ten-business day period referenced in SMC 14.29.060.C begins on the day following the day the written offer is hand delivered to the employee.
3. Email or electronic delivery. If the written offer of employment is delivered by email or other electronic delivery, the ten-business day period referenced in SMC 14.29.060.C begins on the day following the day the written offer is emailed to the employee.

Examples: If Bob is offered a written job offer on Friday the 5th of the month, the ten-day business period begins on the following Monday (provided Monday is not a company holiday in which the company is closed for business) and extends for ten business days ending on the following Friday the 19th of the month.

Seattle Hotel Employee Protections Ordinances Frequently Asked Questions

Ancillary Hotel Businesses

Q. Is providing laundry for the hotel associates uniforms part of the hotel's service?

A. No, because the laundry service for the hotel's operation is not providing a service to a guest.

Q. If a business leases space from the hotel, is a separate entity not designed for hotel guests and has a separate entrance from the hotel but shares access to a restroom inside the hotel, are they considered an ancillary hotel business?

A. It depends. It first depends if this business "(1) routinely contracts with the hotel for services in conjunction with the hotel's purpose; (2) leases or sublets space at the site of the hotel for services in conjunction with the hotel's purpose; or (3) provides food and beverages, to hotel guests and to the public, with an entrance within the hotel premises." SMC 14.28.020. "Hotel's purpose" means services in conjunction with the hotel's provision of short term lodging including food or beverage services, recreational services, conference rooms, convention services, laundry services, and parking." If the above tests are met, if the entrance to the business is "within the hotel premises" when the entrance opens into the hotel and promoted and used by the business's guests as an access point into the business, then yes, it is considered an ancillary hotel business. On the other hand, a passage that is promoted as and used by the business's customers to access a restroom facility located within the hotel premises is not considered an "entrance within the hotel." A sign identifying the business for purpose of navigation to and from the restroom facility is not "promoting" the business.

SMC 14.26 Protecting Employees From Violent or Harassing Conduct

Q. I already have a panic button system that complies with state requirements. Am I covered?

A. It will depend upon whether your system meets the Seattle elements, which requires include a system that identifies the employee's specific location on the property once the device is activated. If your system is state compliant, but does not include that component, you have until Dec. 31, 2020 to upgrade to a new system which features a location-specific alert when activated.

Q. I have door signage that was compliant under I-124; when does the new language need to be updated?

A. Signage installed prior to July 1, 2020 with Chapter 14.25 (I-124 language) instead of Chapter 14.26 will not be out of compliance, provided the reference is updated when signs are replaced.

Q. Do I have to provide guests a written copy of the policy at check-in?

A. The policy must be provided to the guest prior to or upon check-in. This can be done in a variety of ways; written or verbal notification of policy at check-in, in-room materials, welcome packet or conference packet, electronically such as during reservation or in a reservation confirmation email, pre-booking terms of service or reservation confirmation webpage.

Q. If my guest room door signage has been updated with the new ordinance, am I compliant for notification?

A. Not yet. The notification compliance must also include providing guests a copy of the hotel policy protecting hotel employees from violent or harassing conduct prior to or upon check-in. Specifically, your hotel must develop written policies and procedures that prevent and address violent or harassing conduct by guests. At a minimum, an employer must a) develop a written policy against violent or harassing conduct by guests, and b) the policy must explain the employer's obligations under Section 14.26.070.

Q. Our hotel hosts conferences and large events with attendees who are not checked into a guest room. How can I ensure they receive a copy of the policy?

A. The policy must be provided to the person or entity contacting with the hotel for the conference space to distribute to their attendees, i.e. the conference organizer who must then be responsible for distributing the policy. The policy be provided in a written notification in a conference packet, electronically such as pre-conference terms of service or webpage, etc. This also applies to situations such as a visiting sports team in which one person checks in for the team and collects at the guest room keys; they become an 'agent' for the guest and are responsible for providing the policy you provide prior to or upon check-in.

Q. My hotel is inside a residential tower, and our hotel restaurant frequently delivers meals to the residents in the tower. Do the employees need to carry panic buttons?

A. The ordinance does not specifically address scenarios such as residential hotel towers, but the spirit of the law is to provide protections to employees from violent or harassing conduct, so providing the employee delivering a meal at the residential tower location is a probably best practice.

SMC 14.27 Protecting Hotel Employees From Injury

Q. Our hotel has a weekly shift schedule for our housekeeping team that rarely changes, and each employee typically cleans the same room. Will this system work to comply?

A. As long as the process allows you to carefully track and monitor the workload to remain within 4,500 square feet within an eight hour period and takes into consideration the number of “strenuous room cleanings” each employee is performing per day as well as needed adjustments, it may work. The system would also need to incorporate the process for a list of employees who voluntary opt-in to be considered when workloads exceed the maximum square footage requirements.

Q. Our hotel is small, and our housekeeping team usually discusses, decides, and agrees amongst themselves the rooms they wish to clean and any extra rooms and overtime they will accrue. If the employees agree, do I still need to document and keep a ‘voluntary opt-in list’?

A. You are not required to keep a ‘voluntary opt-in list’ but you are required to obtain an employees valid consent prior to assigning work that exceeds the maximum square footage requirements and thus, additional pay rate.

Q. I have a longtime employee who needs to maintain his workday at 8 hours for family reasons, but occasionally asks to leave early to attend his children’s school events. Does the three times pay kick in if they are not exceeding the square footage, but work less than eight hours?

A. No, assuming the workload does not exceed 4,500 square feet or include any strenuous room cleanings, but the square footage the employee cleans on that day must be prorated, as outlined in subsection 14.27.050.B. The employee can not be assigned to clean 4,500 square feet in a period of less than eight hours.

Q. If an employee volunteers to clean more than the 4,500 square feet during their eight-hour shift, does the three times pay rate apply to the entire eight-hour shift?

A. No, but it’s important to note that before the employee can be scheduled the additional work, they must be provided an estimate of the square footage and estimated time.

Example:

Sara is normally paid \$18/hour for an 8-hour day to clean 4,500 square feet. On Monday, you typically have extra rooms to clean. Sara offers to clean the extra square footage. Before you can assign Sara to clean the extra rooms, you must provide Sara an estimate of the workload i.e. square footage and the time expected to perform the work for Sara to make a decision on whether to agree to perform the extra work. In this case, an additional 500 square feet needs to be cleaned and should take an hour.

- Sara will receive her normal rate for the 4,500 square feet (\$18/hour for 8 hours for 4,500 sq. feet)
- Sara will receive \$54/hour (\$18x3) for 1 hour for 500 square feet*
- Sara earns \$198 that day versus the normal daily earning of \$144 Sara makes.

*The important item to track and monitor is that you must provide Sara a time and workload estimate before she consents to do the work. The extra workload is not merely assigned.

Q. If an employee completes their 4,500 square feet in seven hours, are you able to assign them another task?

A. Yes, as long as the employee was given eight hours to clean the 4,500 square feet and the subsequent task does not involve room cleaning. They can not be assigned to clean 4,500 square feet in a seven hour period.

SMC 14.28 Increasing Access to Medical Care For Hotel Employees

Q. Is the ordinance expenditure based on the employer cost or total plan cost to the employee?

A. The ordinance is based on the employer’s required expenditure amount of healthcare coverage provided to the employee.

Q. Is the healthcare expenditure paid to employees considered taxable income?

A. This will require the expertise of your tax advisor. It likely depends upon how it is paid; if it is in a health savings account (HSA), that may have different tax requirements versus whether it is paid as a direct cash compensation.

- Q. Is the additional compensation over and above the insurance premium considered income? If considered income, does that count towards calculating the required co-pay the employee can be required to contribute toward the plan?**
- A. You can charge the employee a co-pay for the insurance plan, but only after you have satisfied required expenditure amounts in the ordinance. After that amount has been satisfied, you may charge a co-pay. The co-pay must be independent of the employer's required expenditure amount. Here's an example:
Dwight is a single employee with no spouse, partner or dependents.
- If your expenditure to Dwight is \$400, and his co-pay is \$20, you have not met the requirement. Your out of pocket expense must meet the ordinance's requirement first; in this case \$420, before you can require a co-pay of Dwight.
 - If the total cost of the plan for Dwight is \$450, you would contribute \$420, and could require a \$30 co-pay of Dwight to meet the full cost of the plan of \$450.
 - If the cost of the plan for Dwight is only \$400, you would pay the \$400 cost for the monthly plan and you also must compensate Dwight \$20 to meet the full amount of the employer's expenditure requirement under the ordinance.
- Q. Can the employee decline coverage and still receive compensation?**
- A. Not if the employee signs the waiver, provided that:
- a. The employee is offered healthcare that meets the healthcare expenditure requirement amounts listed in the ordinance, and
 - b. Was offered an option that does not require the employee to pay more 20% percent of the monthly required healthcare amount.
- Several important notes:
- The information must be provided to the employee in a language they are most comfortable,
 - The employee must sign a waiver form that will be provided by OLS to formally decline the insurance.
 - If the employee declines coverage and declines to sign a waiver, that also must be documented.
 - If the employee declines coverage and declines to sign the waiver, you have no documentation of the declination and thus they would be owed the compensation of the healthcare expenditure.
- Q. I have an employer provided self-funded insurance program. How do I determine how much to charge the employee?**
- A. The ordinance requires an employer to calculate the average per-capita monthly expense for healthcare for the employee, spouse, partner or dependent(s) by the self-insured healthcare program. So, if you have a self-insured plan, you will need to calculate per employee, and audit at the end of the year to allow for any changes in employee count to ensure you have accurately paid the employee the required compensation. Additionally, if you have a cost that has been determined by your self-insured plan, having an insurance actuary write a statement that the cost amount you have calculated is correct under the ordinance would be another way to address compliance.
- Q. An employee at your business tells others he has great healthcare coverage under his spouse's employer—which he uses—yet he has not declined coverage with your company. Can you ask him to sign a waiver?**
- A. You may not pressure or coerce him to sign a waiver. You may ask him to sign a waiver as part of an annual process to update insurance information to ensure accurate information about households, spouses/partners and dependents so insurance information is accurately paid.
- Q. If an employee signs a waiver, do you need to obtain documentation from the employee verifying they have insurance elsewhere?**
- A. No, you are not required. Again, it is important to ensure the employee understands what the waiver means.
- Q. My employee has declined coverage and been provided the waiver but has not signed the waiver despite several requests. Do they still need to be compensated?**
- A. If they refuse coverage and decline to sign the waiver, you must have documentation that:
- a. The employee received coverage information in a language they are most comfortable,
 - b. The employee declined coverage and was provided a waiver to sign, and
 - c. The employee has, in fact, not signed the waiver.

- Q. The employee has not waived coverage, but despite repeated attempts has not completed paperwork to indicate their marital status and how many dependents they have. What do I do?**
- A. You must document that the employee received the coverage information in a language they are most comfortable, was asked to complete paperwork and has not, and has not signed a waiver. In this instance, the company must make an expenditure for the default compensation amount of a single employee with no spouse or dependents.
- Q. How can I confirm employee marital status and number of dependents in order to comply with the expenditures in the ordinance?**
- A. Some companies ask employees to fill out a household count annually to comply with the ordinance. While voluntary, this can help to determine in writing an employee marital status and number of dependents to ensure the company is in compliance with the ordinance and the employee receives the accurate level of insurance due. A template is included in this toolkit.
- Q. Can I use a waiver form our company creates?**
- A. No, you must use the waiver form provided by OLS. Further,
- You may not make any changes or enhancements to the OLS waiver document in any way; the text and form must be identical to the OLS waiver and in the same format.
 - If electronic, the signature, electronic signature, or other authorization must be on the same screen as the text of the form, such that the employee can view the entirety of the form at the same time as the employee provides an electronic signature or authorization;
 - The website that features the form may not state or imply that the employee is required to sign the waiver form.
- Q. Can my company make signing up for insurance or signing the waiver a condition of employment?**
- A. No, you may not pressure, force or coerce anyone to sign a form; that must be voluntary and thus not a condition of employment.
- Q. The expenditure amounts in the ordinance are based on 2019 rates but is subject to annual adjustments based on the medical inflation rate. When is that set?**
- A. The amounts that are listed in the ordinance are the rates effective for 2020. We have the request out for the inflation adjustment for 2021 rates and I will reach out as soon as I have more information

[SMC 14.29 Hotel Employee Job Retention](#)

- Q. My ancillary business employees 45 employees over two locations. Am I subject to this ordinance?**
- A. No, as the ordinance only applies to ancillary businesses with 50 or more employees over all locations.
- Q. I am an ancillary business and selling the business location at the hotel. Will this impact me?**
- A. It depends upon how many employees you have, and when the sale of the business occurred. For example, if you had 75 employees in your business and the sale occurred after Sept. 16, 2019, you will not be affected. However, if you have over 250 employees worldwide, you will be impacted and the effective date will be July 1, 2020.

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