



**CITY OF PROVIDENCE**

Tomás A. Ávila, Executive Secretary | Claudia J. Haugen, Commissioner | Renay Brooks Omisore, Clerk

**DATE:** April 17, 2014

**TO:** Lori L. Hagan, Second Deputy City Clerk

**FROM:** Claudia J. Haugen, Chairperson

**RE:** **Hotel Worker Minimum Wage: An Ordinance to Increase Spending in Our Communities**  
Verification of signatures for Petition to hold public hearing

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**DISPOSITION:** According to the petition filed with the Providence Board of Canvassers, there are **1181** signatures of qualified electors.

Please note that Petitions numbered 24 and 25 were submitted as copies, therefore the signatures were disqualified. In order for signatures to qualify, they must be submitted as originals.

Please feel free to call me if you have any questions.

Thank you,

Claudia J. Haugen  
Chairperson  
Board of Canvassers

**IN CITY COUNCIL**

**MAY 01 2014**

READ  
WHEREUPON IT IS ORDERED THAT  
THE SAME BE RECEIVED.

CLERK

**ACTING**

**BOARD OF CANVASSERS**

Providence City Hall | 25 Dorrance Street Room 102 Providence, Rhode Island 02903  
401 421 0495 ph | 401 421 9397 fax

[www.providenceri.com](http://www.providenceri.com)

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**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

12

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2018 APR 11 P 12:54

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees’ or employers’ right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee’s reasonable attorney’s fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

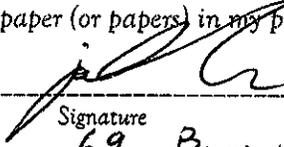
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>BONNIE BUCK</del>	<del>BONNIE BUCK</del>	
Bonnie Buck	BONNIE BUCK	125 Governor St. # 306 Prov 02906
Ursula Kennedy	Ursula Kennedy	125 Governor St # 307 Prov, 02906
Bernard Wynkoop	Bernard Wynkoop	125 Governor St # 305
Nancy L. Shelby	Nancy L. Shelby	125 Governor St # 201
Lawrence Manfredi	LAWRENCE MANFREDI	125 GOVERNOR ST
Kenneth McDonald	KENNETH MCDONALD	125 GOVERNOR ST - PROV
Peter Capobianco	PETER CAPOBIANCO	125 GOVERNOR # 108
Sanford Buckbinder	SANFORD BUCKBINDER	125 Governor St. 112
Angela Dill	Angela Dill	11
Dorothy Johnson	DOROTHY JOHNSON	125 Governor St # 002
Caren A. Braun	CAREN A. BRAUN	125 GOVERNOR ST 610
Luana Corporon	Luana Corporon	125 Governor St 009
Luke Lattanzi-Silveus	Luke Lattanzi-Silveus	116 Waterman Street, Prov, 02906
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I, Josee Crowther, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
-----  
Signature  
69 Brown St.  
-----  
Address (Street & Number)  
Providence, RI  
-----  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 20 14

  
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Notary Public  
Commission expires 10/19/16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

9

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2016 APR 11 PM 12:54

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

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(b) Definitions.

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management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

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**(c) Minimum Wage**

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(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

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**(f) Preservation of rights.**

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2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

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The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

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(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

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(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Robin Coxinter</del>	<del>Robin Coxinter</del>	<del>19 ARCH ST EP RI</del>
<del>Kristen Curt</del>	<del>Kristen Curt</del>	<del>67 Hamlen St FL 3</del>
<del>DAVE HOFFMAN</del>	<del>DAVE HOFFMAN</del>	<del>896 HOPE</del>
<del>Carol Agosvivas</del>	<del>Carol Agosvivas</del>	<del>10 Sumter St Prov RI</del>
<del>From Tahir</del>	<del>From Tahir</del>	<del>114 Wyndham Ave. Prov.</del>
<del>Kyle Bennett</del>	<del>Kyle Bennett</del>	<del>206 Sumter St.</del>
<del>Catherine Lewis</del>	<del>Catherine Lewis</del>	<del>32 11th St. Prov.</del>
<del>Elaine Fersk</del>	<del>Elaine Fersk</del>	<del>99 Lloyd Ave Providence, RI 02902</del>
<del>Alex Miller</del>	<del>Alex Miller</del>	<del>2 Pratt St., B1</del>
<del>Amy Jacob</del>	<del>Amy Jacob</del>	<del>46 Keen St Prov RI 02906</del>
<del>Erika A. Juwald</del>	<del>Erika A. Juwald</del>	<del>144 Lloyd Ave., Prov, RI 02906</del>
<del>STEPHANIE TSEUBERG</del>	<del>STEPHANIE TSEUBERG</del>	<del>17 KEEPER ST, PROVIDENCE RI 02906</del>
<del>Jessica H Sherwood</del>	<del>Jessica H Sherwood</del>	<del>132 Humboldt Av Prov</del>
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I, Frika A. Jimalel, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.



Signature

144 Lloyd Avenue

Address (Street & Number)

Providence, RI 02906

City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

  
Joseph DeFrancisco  
Notary Public  
Commission expires 10/19/16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

2

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

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2014 APR 11 P 12:53

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(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Adalberto Ramos</i>	Adalberto RAMOS	9 PARKIS AVE apt 69
<i>Dennis E Jordan</i>	DENNIS E JORDAN	7 PARKIS AVE apt 80
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I, Victoria Puit, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
-----  
Signature  
81 Congress Ave  
-----  
Address (Street & Number)  
Providence  
-----  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

  
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Notary Public  
Commission expires 10/19/16  
Joseph DeFrancesco

# 4778

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

19

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209; hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

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CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

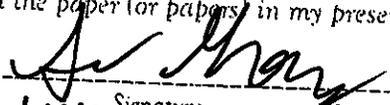
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK</del> Ramon Reyes	Ramon Reyes	144 Congress Ave
<del>OK</del> Karina Pops	Karina Pops	139 Chester Ave
<del>OK</del> Ana Paulina	ANA SANTANA	139 Chester Ave
<del>OK</del> E. V. Tala	E. V. TALA	
<del>OK</del> Ratha Sen	Ratha Sen	122 Chester Ave
<del>OK</del> Jose Sanchez	Jose Sanchez	33 Marlborough
<del>OK</del> LINDA Pops	Linda Pops	68 Glenham St
<del>OK</del> G. ANTONIO ABERN	G. ANTONIO ABERN	32 Glenham St
<del>OK</del> Sandra Popano	Sandra Popano	76 Glenham St
<del>OK</del> Dalia Neparez	Dalia Neparez	81 Glenham St Apt 2 Providence
<del>OK</del> Stanley Urey	STANLEY UREY	55 Glenham St 37 Glenham St. Apt 2
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I, Servio Gomez, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
 Signature  
144 Congress Ave  
 Address (Street & Number)  
Providence, RI  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
 Notary Public  
 My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

13

**PETITION TO THE CITY COUNCIL**

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

**"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"**

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets (or catered meetings) shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>[Signature]</i>	JESUS RAMIREZ	205 BAKER ST
<i>[Signature]</i>	CHRIS MORRIS	215 BAKER ST
<i>[Signature]</i>	JERRY MORRIS	215 BAKER ST
<i>[Signature]</i>	RICELDA BAEZ	221 BAKER ST
<i>[Signature]</i>	Jolanda Camacho	221 Baker St Providence
<i>[Signature]</i>	Raymond Richard	266 Baker St Providence
<i>[Signature]</i>	Heroína Cohon	188 BAKER ST. PROV
<i>[Signature]</i>	Ramon Lopez	101 Brifield ST 2
<i>[Signature]</i>	<i>[Signature]</i>	948 BRANT AVE. B
<i>[Signature]</i>	Ubaldo Rogue	91 Byfield st apt R
<i>[Signature]</i>	Luis Alvarez	87 Byfield st
<i>[Signature]</i>	KEVIN SHARP	115 BYFIELD ST
<i>[Signature]</i>	RAFAEL FONDEUR	181 Brifield ST
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MARITZA SANCHEZ of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Maritza Sanchez  
Signature  
189 Woodlark Road 02904  
Address (Street & Number)

-----  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL

\_\_\_\_\_, A.D. 2014

[Signature]  
Notary Public  
9-24-2014

#4278

**City of Providence**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

4

**PETITION TO THE CITY COUNCIL**

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

**"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"**

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
APR 11 PM 12:53

**Providing as follows:**

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.  
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

**(a) Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

**(b) Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

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(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

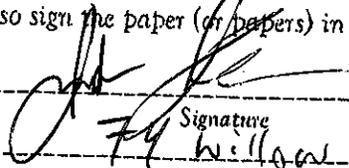
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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
-----  
Signature  
74 Willow St  
-----  
Address (Street & Number)  
Providence RI 02909  
-----  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

  
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Notary Public  
exp. 9-24-17

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



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WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

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**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

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**(e) Effective Dates**

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2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

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The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

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(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>NO</del> <i>Julian Espinal</i>	JULIAN ESPINAL	301 CRANSTON ST #318
<del>OK</del> NYONQUIN CEMIN	NYONQUIN CEMIN	301 CRANSTON ST #215
<del>OK</del> <i>Jeanne Brauchemin</i>	Jeanne Brauchemin	301 CRANSTON ST #203
<del>OK</del> <i>Leida V. Heracles</i>	Leida V. Heracles	301 CRANSTON ST #204
<del>OK</del> <i>Ramon Nunee</i>	RAMON NUNEE	26 MAWNEY #02907 Prov.
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I, MARITZA SANCHEZ of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Maritza Sanchez  
 Signature  
189 Woodward  
 Address (Street & Number)  
Providence  
 City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014



Notary Public

exp. 9-24-2017

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
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2014 APR 18 P 12:53

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Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Handwritten signature</del>	HIPOLITO RODRIGUEZ	71 VERNDALE AVE Apt 2
<del>Handwritten signature</del>	Carlos M. de Leon	135 Verndale Ave.
<del>Handwritten signature</del>	VINIFRED CHRISTIAN	176 verndale Ave.
<del>Handwritten signature</del>	VINODRAI CHRISTIAN	136 VERNDALE AVE
<del>Handwritten signature</del>	MAUREEN Gioello	134 Verndale Ave
<del>Handwritten signature</del>	MENERVA OSORIO	20 BABCOCK ST.
<del>Handwritten signature</del>	DOMINGA SILVESTRE	16 BABCOCK ST
<del>Handwritten signature</del>	RAMON D'ALMEIDA	37 BABCOCK ST.
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I, Betzaida Benitez, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Betzaida Benitez

Signature

53 Aleppo St.

Address (Street & Number)

providence RI 02909

City or Town

State of Rhode Island

PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL

, A.D. 2014



Notary Public

9-24-2017

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

9

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
MAY 14 11:12 AM '11  
P 12:53

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK Pamela Bradley</del>	<del>Pamela Bradley</del>	<del>83 Doyle Ave # 502</del>
<del>OK Helen Daisey</del>	<del>Helen Daisey</del>	<del>831 Doyle Ave # 503</del>
<del>OK REV. Clyde D. Walker</del>	<del>REV. Clyde D. Walker</del>	<del>83 Doyle Ave # 505</del>
<del>NO Jean Gibb</del>	<del>Jean Gibb</del>	<del>831 Doyle Ave # 508</del>
<del>NO Juanita Gonzalez</del>	<del>Juana Gonzalez</del>	<del>128 Knight St. Prov.</del>
<del>OK Val. R. Kephlin</del>	<del>Valery Kephlin</del>	<del>700 Atwells Ave Apt 310</del>
<del>OK Harriet Barrows</del>	<del>HARRIET Barrows</del>	<del>100 Atwells Ave Apt 307</del>
<del>NO [Signature]</del>	<del>CHAMPAGNE [Signature]</del>	<del>100 Atwells Ave Apt 510</del>
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I, Betzaida Benitez, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Betzaida Benitez

Signature

53 ALEPPO ST.

Address (Street & Number)

PROVIDENCE RI 02909

City or Town

State of Rhode Island

PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL

, A.D. 20

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Notary Public

9-24-12

# 4078

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**



TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 14 P 12:53  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

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(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Edward Gay</del>	Edward Gay	969 Eddy St.
<del>Lawrence Trunfall</del>	Lawrence Trunfall	72 Cromwell St.
<del>Daniel Williams</del>	DANIEL WILLIAMS	160 BINGHAM ST Apt 620
<del>Richard Blanchard</del>	RICHARD BLANCHARD	160 Benedict St. Prov. RI Apt 7
<del>Josefa German</del>	JOSEFA GERMAN	160 BENEDECT ST. PROV. RI Apt 611
<del>Susana Duran</del>	Susana Duran	160 Benedict St. Apt 603
<del>Angel Taveras</del>	Angel Taveras	160 Benedict St. Apt 501
<del>Marlena Von Hoffer</del>	<del>Marlena Von Hoffer</del>	969 Eddy St.
<del>Charlie Von Hoffer</del>	<del>Charlie Von Hoffer</del>	969 Eddy St.
<del>Mary O'Leary</del>	<del>Mary O'Leary</del>	969 Eddy St.
BARRY J. O'CONNOR	BARRY J. O'CONNOR	218 GALLATIN ST.
Argentina Villanueva	Argentina Villanueva	156 Gallatin St.
WALTER LES PERSON	WALTER LES PERSON	185 GALLATIN ST.
Esther Person	Esther Person	185 Gallatin St. Prov 907
CARLOS GOMEZ	Carlos Gomez	127 GALLATIN ST. PROV 907
Miguelina Gomez	Miguelina Gomez	127 Gallatin St. Prov 907
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I, Elwood Gay, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Elwood Gay  
Signature  
969 2nd St.  
Address (Street & Number)  
Providence, RI  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 20 14

[Signature]  
Notary Public  
exp 9/24/2017

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 11 P 12:53  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Doris Espinal</i>	DORIS ESPINAL	191 LINWOOD AVE
<i>Lillian Ortiz</i>	Lillian Ortiz	179 Linwood Ave
<i>Pedro Pichardo</i>	Pedro Pichardo	179 Linwood Ave
<i>Martino Dias</i>	MARTINO DIAS	167 LINWOOD AVE
<i>Edward Isoda</i>	Edward Isoda	156 LINWOOD AVE
<i>Rafael Polanco</i>	RAFAEL POLANCO	134 LINWOOD AVE
<i>Janet Delarue</i>	Janet Delarue	134 Linwood Ave
<i>Janet Jennings</i>	Janet Jennings	164 Linwood Ave
<i>Israella Cheaga</i>	Israella Cheaga	180 Linwood AVE
<i>Patricia Polanco</i>	Patricia Polanco	162 Linwood Ave
<i>Edgar Ferrer</i>	Edgar Ferrer	162 Linwood Ave
<i>Glendaliz Santiago</i>	Glendaliz Santiago	189 Linwood Ave
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I, Ed Espinal, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Alfonso D. Espinal  
 Signature  
191 LINWOOD AVE PROVIDENCE RI 02902  
 Address (Street & Number)

City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

SA 9/24/2017  
 Notary Public

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

4

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 12:53

**Providing as follows:**

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

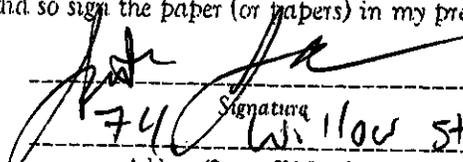
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
	Michael Giroux	78 Willow Street, Providence, RI
	Rachel Pizze	97 Tobey St, PVD, 02909
	James Kennedy	97 Tobey St PVD, 02909
	Jess Richardio	118 MANTON AVE PVD 02909
	DAUNA NOBLE	153 ONTARIO ST PROV RI 02907
	JEFF PIZZI	12 Barker St Prov 02909
	Allison Tull	27 Maplenurst Ave Providence 02908
	Rhym Carmichael	14 Grant St. PVD 02909
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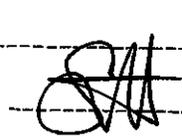
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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
-----  
Signature  
74 Willow St  
-----  
Address (Street & Number)  
PROVIDENCE RI 02909  
-----  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

  
-----  
Notary Public exp. 9/24/2017

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF SASSERS  
& REGISTRATION  
2014 APR 11 P 12:53

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Willie Zamata Jr</del>	<del>Willie Zamata Jr</del>	<del>170 Benedict St</del>
<del>Henry Robinson</del>	<del>Henry Robinson</del>	<del>170 Benedict St 206</del>
<del>Angel Pizarro</del>	<del>Angel Pizarro</del>	<del>170 Benedict 207</del>
<del>Jose Rodriguez</del>	<del>Jose Rodriguez</del>	<del>170 Benedict apt 511</del>
<del>Diana Miranda</del>	<del>Diana Miranda</del>	<del>170 Benedict Apt 106</del>
<del>Maria Robinson</del>	<del>Maria Robinson</del>	<del>170 Benedict Apt 314</del>
<del>Lady Brito Castillo</del>	<del>Lady Brito Castillo</del>	<del>170 Benedict St Apt 315</del>
<del>Aracelia</del>	<del>Aracelia</del>	<del>170 BENEDEC ST 310</del>
<del>Elba Ocasio</del>	<del>Elba Ocasio</del>	<del>170 Benedict St</del>
<del>Erin White</del>	<del>Erin White</del>	<del>170 Benedict St</del>
<del>Irving White</del>	<del>Irving White</del>	<del>170 Benedict St</del>
<del>Denise</del>	<del>Denise</del>	<del>170 BENEDEC ST</del>
<del>Foto</del>	<del>Foto</del>	<del>185 BENEDEC ST</del>
<del>Orto S. Valenzuela</del>	<del>Orto S. Valenzuela</del>	<del>160 BENEDEC ST</del>
<del>Elba Ocasio</del>	<del>Elba Ocasio</del>	<del>170 Benedict st apt 101</del>
<del>Elba Ocasio</del>	<del>Elba Ocasio</del>	<del>170 Benedict Apt 601 ← Elba Ocasio</del>
<del>Ramon Luna</del>	<del>Ramon Luna</del>	<del>170 Benedict #301</del>
<del>Ramon Luna</del>	<del>Ramon Luna</del>	<del>170 Benedict #305</del>
<del>Ramon Luna</del>	<del>Ramon Luna</del>	<del>170 Benedict #303</del>
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I, Shelton Long, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Shelton A. Long  
Signature  
17 Emmet Street  
Address (Street & Number)  
Providence,  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 20 14

Rosamond Anna Tilbo  
Notary Public

My commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

3

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
&  
REGISTRATION  
APR 11 PM 5:41

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
	MARTHA H. AMES	35 BOYLSTON AVE PROV
	Edith Pilkington	15 BOYLSTON AVE PROV
	DEBORAH NEWHAM	2 BENTON AVE PROV
	ELSIE JILL TOBAK	40 BENTON AVE PROV
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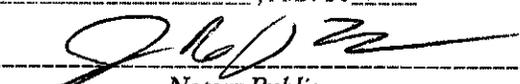
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I, Sophia Gluskin-Braun, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Sophia Gluskin-Braun  
 Signature  
69 Brown St. Box 3137  
 Address (Street & Number)  
Providence  
 City or Town

State of Rhode Island,  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

  
 Notary Public  
 Commission expires 10/19/16  
 Joseph DeFrancesco

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 11 P 12:53  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

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**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Martha Alano</del>	Martha Alano	101 Whittier Ave. Providence 02909
<del>Kim Jeffy</del>	Kim Jeffy	362 Carpenter St. Providence 02909
<del>Lucia Jajquez</del>	Lucia Jajquez	359 Carpenter St. Providence 02909
<del>Lucia Jajquez</del>	Lucia Jajquez	359 Carpenter St. Providence 02909
<del>Hannah Cooper</del>	Hannah Cooper	359 Carpenter St. Apt 303 Providence 02907
<del>LARA FELPE</del>	LARA FELPE	359 CARPENTER APT 307
<del>JACARITA EVAN</del>	JACARITA EVAN	CELISTA 359 CARPENTER 306
<del>Emma River</del>	Emma River	359 Carpenter St. APT 321
<del>Hector Torres</del>	Hector Torres	359 Carpenter St. Apt. 317
<del>Amilcar Andino</del>	Amilcar Andino	359 Carpenter APT 318
<del>ARGENTINA PADILLA</del>	ARGENTINA PADILLA	359 CARPENTER APT 221
<del>MIRIAM ROBLES</del>	MIRIAM ROBLES	359 CARPENTER APT 217
<del>Adonia Figueroa</del>	Adonia Figueroa	FIGUEROA 359 CARPENTER
<del>Albania Gomez</del>	Albania Gomez	111 WOOD ST 202 How
<del>John Z. Perez</del>	John Z. Perez	82 Adelaide Ave. Prov.
<del>Hilda Serrano</del>	Hilda Serrano	104 Mitchell St. Providence 02907
<del>Isabel Alvaranta</del>	Isabel Alvaranta	104 Mitchell St. Providence 02907
<del>Xiomara Cruz</del>	Xiomara Cruz	257 Hartford Ave #2
<del>Maxia Duce</del>	Maxia Duce	194 Cass 02907 Prov.
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I, ADRIAN RANDALL, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Adrian Randall  
 Signature  
131 MOORE ST.  
 Address (Street & Number)  
PROVIDENCE, RI 02907  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
 Notary Public

My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
2011 APR 11 PM 5:33

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

17md

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Luís Maldonado</del>	<del>Luís Maldonado</del>	<del>50 Randall St</del>
Amanda Beatry	Amanda Beatry	50 Randall Apt 4B
Sam Marshall	Sam Marshall	30 Row Hill Apt 4C
David A. Herrera	David A. Herrera	50 Randall St Apt 6E
JANICE BRADY	JANICE BRADY	50 RANDALL ST Apt 6B
<del>Michelle (Cruz)</del>	<del>Michelle (Cruz)</del>	<del>50 RANDALL ST Apt 6B</del>
<del>La Trinidad M</del>	<del>La Trinidad M</del>	<del>30 Ranelan St 7 F</del>
<del>Nichole P Wikcox</del>	<del>Nichole P Wikcox</del>	<del>50 Randall TJ</del>
<del>Alexandra Maria Vasquez</del>	<del>ALEXANDRA MARIA Vasquez</del>	<del>141 OAK ST apt 22 oakst</del>
<del>Lamberto Gena</del>	<del>Lamberto Gena</del>	<del>141 OAK ST A 31</del>
KLM Koetka	KLM Koetka	141 OAK ST A-33
Jesus Reyes	Jesus Reyes	141 Oak Street - A25
Shani M. Lovick	Shani M. Lovick	141 Oak St. A15
Aliya Zaki	Aliya Zaki	141 Oak St A-18
CARMEN QUINTANA	CARMEN QUINTANA	141 OAK ST A-22
DANIEL MALAVE	DANIEL MALAVE	141 OAK ST A-28
Marta Lopez	Marta Lopez	141 OAK ST apt A-1
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I, Johanna Wakzak, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Adam Balaban  
Signature  
87 Princeton Ave.  
Address (Street & Number)  
Providence RI 02907  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

exp 9/24/17 [Signature]  
Notary Public

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

14

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2010 APR 13 P 12:53  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>NO. 11 Mameia Osoyo</del>	Mameia Osoyo	20 Babcock St.
<del>NO. 12 Laura Abrey</del>	Laura Abrey	33 Babcock St.
<del>Eunice Mabray</del>	EUNICE MABRAY	44 Babcock St.
<del>Valerie Johnson</del>	VALERIE JOHNSON	80 Babcock St.
<del>Emelia Kamara</del>	Emelia Kamara	11 Babcock St.
<del>Wendy M Santos</del>	Wendy M Santos	170 Babcock St.
<del>Jane B. Brown</del>	JANE B. BROWN	100 Babcock St.
<del>Vera Gautieri</del>	Vera Gautieri	184 Babcock St.
<del>Carlos Davila</del>	CARLOS DAVIDA	10 BERNARD ST. PROV.
<del>Eva Davila</del>	Eva Davila	10 BERNARD ST. PROV.
<del>CARTER BRAXTON</del>	CARTER BRAXTON	143 WARRINGTON ST.
<del>Valerie Hors</del>	VALEIE HORS	191 WARRINGTON ST.
<del>Daniela Sanchez</del>	Daniela Sanchez	251 Warrington St Providence
<del>Jose Ross</del>	JOSE ROSS	251 Warrington St.
<del>Douglas Johnson</del>	Douglas Johnson	273 Warrington St.
<del>Amazzi Moku</del>	AMAZZI MOKU	154 WARRINGTON ST.
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I, Murjann de Parada, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Murjann de Parada  
 Signature  
653 MITCHELL AVE. 2<sup>ND</sup> FL.  
 Address (Street & Number)  
PROV. RI 02909  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 20 14

Rosamund Anna Talbot  
 Notary Public

My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 PM 12:53

**"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"**

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

**(a) Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

**(b) Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Wendy...</del>	<del>Wendy...</del>	<del>125 Congress Ave</del>
<del>...</del>	<del>...</del>	<del>198 Congress Ave</del>
<del>...</del>	<del>Duice Hernandez</del>	<del>134 Congress Ave</del>
<del>Ed N Graham</del>	<del>Ed N Graham</del>	<del>166 Congress Ave</del>
<del>Jacklyn O'Hara</del>	<del>Jacklyn O'Hara</del>	<del>280 Congress Ave</del>
<del>Melanie Medley</del>	<del>Melanie Medley</del>	<del>176 Congress Ave</del>
<del>Thelma...</del>	<del>Thelma...</del>	<del>95 Congress Ave</del>
<del>Arthur Williams</del>	<del>ARTHUR WILLIAMS</del>	<del>112 Congress Ave</del>
<del>Donna Vargas</del>	<del>DONNA VARGAS</del>	<del>72 Congress Ave</del>
<del>Ramona...</del>	<del>Ramona Fernandez</del>	<del>66 Congress Ave Providence RI</del>
<del>Yahaira Nunez</del>	<del>Yahaira Nunez</del>	<del>95 Congress Ave</del>
<del>Dennis Rivas Jr</del>	<del>Dennis Rivas Jr</del>	<del>7 Congress Ave Apt 3</del>
<del>...</del>	<del>...</del>	<del>171 Porter St Providence</del>
<del>Hilda Esteban</del>	<del>Hilda Esteban</del>	<del>1985 Sassafras Ave Providence</del>
<del>...</del>	<del>...</del>	<del>1115 Broad St Providence</del>
<del>Berto Villar</del>	<del>Berto Villar</del>	<del>1104 Broad Ave Providence</del>
<del>...</del>	<del>...</del>	<del>63 K... Providence</del>
<del>...</del>	<del>Cathy Ziegle</del>	<del>639 Public Mt Hope Providence</del>
<del>...</del>	<del>Fiordaliza Villar</del>	<del>300 Langdon St Providence</del>
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I, Theresa King of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Theresa King  
 Signature  
95 Conover Ave  
 Address (Street & Number)  
Providence  
 City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of April

  
 , A.D. 20 14  
9-24-2017  
 Notary Public

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
2014 APR 11 P 12:53

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.  
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.  
NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:  
Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Jose Blentino</del>	<del>JOSE Blentino</del>	<del>172 Gallatin St. PROU</del>
<del>Margarita Cruz</del>	<del>Margarita Cruz</del>	<del>369 Montcalm Providence</del>
<del>Malia Collado</del>	<del>MARIA V. COLLADO</del>	<del>91 Byfield St PROU. RI 02905</del>
<del>Maria E. Franco</del>	<del>MARIA E. FRANCO</del>	<del>31 SASSAFRAS ST PROU.</del>
<del>Antonio Espinal</del>	<del>ANTONIO ESPINAL</del>	<del>43 SASSAFRAS ST 02907</del>
<del>Sonia Vittoria</del>	<del>SONIA VITTORIA</del>	<del>43 SASSAFRAS ST 02907</del>
<del>Ramona Mejia</del>	<del>RAMONA MEJIA</del>	<del>36 SASSAFRAS ST</del>
<del>Roberto Torner</del>	<del>ROBERTO TORNER</del>	<del>67 THACKERY ST</del>
<del>Solan G. Rayno</del>	<del>SOLAN G. RAYNO</del>	<del>93 SASSAFRAS ST PROU</del>
<del>Christian Filpo</del>	<del>Christian Filpo</del>	<del>172 Bellevue ave, Providence</del>
<del>Charles Brown</del>	<del>Charles Brown</del>	<del>284 Chad Brown 02907</del>
<del>Clanmar Garcia</del>	<del>Clanmar Garcia</del>	<del>8 Nebraska St. Apt 5 02905</del>
<del>Denise Bautista</del>	<del>Denise Bautista</del>	<del>97 SASSAFRAS ST 02905 Providence</del>
<del>Jose Chapman</del>	<del>JOSE CHAPMAN</del>	<del>155 Cranston 02907</del>
<del>Willie J. ...</del>	<del>WILLIE J. ...</del>	<del>117 SASSAFRAS ST</del>
<del>Giuliano Lynarik</del>	<del>GIULIANO LYNIK</del>	<del>74 SASSAFRAS ST. 02905</del>
<del>Carlyne ...</del>	<del>CARLYNE ...</del>	<del>112 SASSAFRAS ST 02907</del>
<del>Esteban Reyes</del>	<del>ESTEBAN REYES</del>	<del>9 SAVINGS ST PROU. RI 02907</del>
<del>Wilfredo Vargas</del>	<del>WILFREDO VARGAS</del>	<del>111 CORINTH ST PROU. RI 02907</del>
<del>Jose A. ...</del>	<del>JOSE A. ...</del>	<del>239 CORINTH ST PROU. RI</del>
<del>Juan Miranda</del>	<del>JUAN MIRANDA</del>	<del>75 Corinth St</del>
<del>Shirley S. Rivas</del>	<del>SHIRLEY S. RIVAS</del>	<del>7 CADY ST PROU 02907</del>
<del>Rolando Nolasco</del>	<del>ROLANDO NOLASCO</del>	<del>59 CORINTH. PROU 02907</del>
<del>Silverio Bourdier</del>	<del>SILVERIO BOURDIER</del>	<del>2 parkview ave 02905</del>
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I, ADRIAN RANDALL, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
Signature  
131 MOORE ST.  
Address (Street & Number)  
PROVIDENCE 02907  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Ann Taltor  
Notary Public

My commission expires 4-4-16

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**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 11 P 12:54  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

- (i) Damages for each day during which the violation continues,
- (ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Jacobo Santana</del>	JACOBO SANTANA	369 MONTGOMERY AV. (D)
<del>Antonio Rosa</del>	ANTONIO ROSA	369 MONTGOMERY ST
<del>Edmee Hernandez</del>	Edmee Hernandez	369 Mont 4K
<del>Valentina Marreza</del>	VALENTINA MARREZA	369-Montgomery St-4B
<del>Shirley Ann Casale</del>	SHIRLEY CASALE	369 Montgomery Ave. 4G
<del>David Rivera</del>	David Rivera	369 MONTGOMERY AVE
<del>Jacqueline B. Duply</del>	Jacqueline B. Duply	369 MONTGOMERY AVE #5A
<del>Maria Handerson</del>	Maria Handerson	369 Montgomery Ave #5B
<del>Briana Miller</del>	BRIANA MILLER	369 MONTGOMERY ST
<del>Rachel Austin</del>	Rachel Austin	369 Montgomery Ave 2F
<del>Leo Schulte</del>	LEO SCHULTE	369 MONTGOMERY AVE 2-B
<del>Teas F. Lopez</del>	Teas F. Lopez	369 Montgomery 2A
<del>Bernard Mendes</del>	Bernard Mendes	9 Milk St Pror RI
<del>Dismery Reyes</del>	Dismery Reyes	976 Prairie Ave RI
<del>Ronald McKay</del>	Ronald McKay	444 Public St Pror RI
<del>Nikita McKay</del>	Nikita McKay	444 Public St. 2nd Pror. RI
<del>Victor Lozada</del>	VICTOR LOZADA	493 Public St.
<del>Carsvelo Carpa</del>	CARSVELO CARPA	493 Public St
<del>Luz Marte</del>	LUZ MARTE	26 PRISCILLA AVE Pror. RI 02889
<del>Tanya De Jesus</del>	Tanya De Jesus	506 Public St Pror RI
<del>Dulce Perez</del>	DULCE PEREZ	507 Public St Pror RI
<del>Jacob K. Oluokoya</del>	Jacob K. Oluokoya	505 Public Str. Pror. RI 02907
<del>Harry Johnson</del>	HARRY JOHNSON	472 PUBLIC
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I, Im Georgiana, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Im Georgiana  
 -----  
 Signature  
70 GEORGE ST  
 -----  
 Address (Street & Number)  
Providence  
 -----  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

Joseph DeFrancesco  
 -----  
 Notary Public  
 Commission expires 10/19/16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

14

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 P 12:53

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

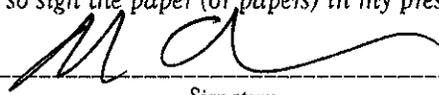
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<input checked="" type="checkbox"/> Chris Warren	CHRISTINE WARREN	88 Willow
<input checked="" type="checkbox"/> David Haller	DAVID HALLER	115 HUDSON ST
<del>Robert Dennis</del>	<del>David Haller</del>	<del>29 Bond Street</del>
<input checked="" type="checkbox"/> Remell Carter	Remell Carter	157 Brigham St
<input checked="" type="checkbox"/> Josefa Morillo	Josefa Morillo	52 Tuxedo Av. Prov RI
<del>John King</del>	<del>Nita M King</del>	<del>3 Mowbray St Providence RI</del>
<del>John King</del>	<del>John King</del>	<del>PINKERMAN ST Providence RI</del>
<del>R. Odul</del>	<del>Josiah Odul</del>	<del>315 Elmwood Ave</del>
<input checked="" type="checkbox"/> Jay Parkin	Alexander Roskowsk.	276 Mt Pleasant
<del>John King</del>	<del>Alexander Roskowsk.</del>	<del>419 Academy Av.</del>
<input checked="" type="checkbox"/> Ryan McNamara	Ryan McNamara	421 ACADEMY AVE
<del>John King</del>	<del>Cory Williams</del>	<del>115 Tuxedo St Providence RI</del>
<del>John King</del>	<del>Jeff Rosanzon</del>	<del>72 Rosedale St Providence RI</del>
<del>John King</del>	<del>John Santoli</del>	<del>199 Brian St #1 02906</del>
<del>John King</del>	<del>Matty Spadola</del>	<del>22 Messer St Providence RI</del>
<input checked="" type="checkbox"/> Anna	Abigail Almight	205 Cole Ave Providence RI 02904
<input checked="" type="checkbox"/> Sarah Cardin	Sarah Cardin	72 Providence St Providence RI 02909
<del>John King</del>	<del>Jason S. ...</del>	<del>10 LOTTAS E</del>
<del>John King</del>	<del>John S...</del>	<del>138 Wheeler</del>
<input checked="" type="checkbox"/> Kelsey Baranowski	KELSEY BARANOWSKI	276 MT. PLEASANT AVE
<del>John King</del>	<del>Abigail Cardin</del>	<del>209 Fay St Providence RI</del>
<input checked="" type="checkbox"/> Roby Kennedy	Roby Kennedy	22 Chapin Ave Providence RI 02909
<del>John King</del>	<del>Jennifer Heiss</del>	<del>120 Messer St Providence RI 02906</del>
<input checked="" type="checkbox"/> Tobias Haller	Tobias Haller	54 Hudson St, Providence, RI 02909
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I, Michael Araujo, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
Signature  
11 Gibson Ct  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

 Joseph DeFrancisco  
Notary Public  
Commission expires 10/19/16

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# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

2011 APR 11 P 12:58  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

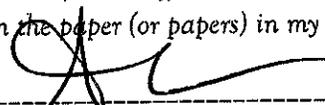
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Gertrude Wilson</del>	GERTRUDE W. WILSON	301 DISTRICT W/21
<del>John Samson</del>	JOHN SAMSON	211 [unclear] Ave.
<del>Maria Piccolo</del>	MARIA PICCOLI	229 California Ave Providence, RI
<del>Mary Janet</del>	MARY JANETT	233 California Ave
<del>Sarah Dineen</del>	SARAH DINEEN	251 California Ave
<del>P. Gilbert</del>	P. Gilbert	266 California Ave
<del>Deborah Smith</del>	DEBORAH SMITH	252 California Ave
<del>Jose Lanzetta</del>	JOSE LANZETTA	237 California Ave
<del>Lucy Casare</del>	LUCY CASARE	268 Indiana Ave
<del>Jeff Higgins</del>	JEFF HIGGINS	242 Indiana Ave
<del>Sergio Herrera</del>	SERGIO HERRERA	208 W. YORK, ANZ PROV. MT. 02905
<del>Diana Dilore</del>	DIANA DILORE	296 New York Ave
<del>Rafaelio A. Melo</del>	RAFAELIO A. MELO	326 New York Ave
<del>Michelle Mieses</del>	MICHELLE MIESES	1275 Broad St Providence RI
<del>Jean Marie Charles</del>	JEAN MARIE CHARLES	242 Ohio Ave Providence RI
<del>Gissell Mieses</del>	GISSELL MIESES	565 OHIO Ave
<del>Jenny D'Assenza</del>	JENNY D'ASSENZA	81 Benham St
<del>Gregory Ortega</del>	GREGORY ORTEGA	272 OHIO AV
<del>Carmen Torres-Cabrera</del>	CARMEN TORRES-CABRERA	209 Vermont Ave
<del>Pana McInnis</del>	PANA MCINNIS	223 Vermont Ave
<del>Sean McInnis</del>	SEAN MCINNIS	223 Vermont Ave
<del>Glennis Matos</del>	GLENNIS MATOS	237 Vermont Ave
<del>Nancy E. Lopez</del>	NANCY E. LOPEZ	254 VERMONT AVE.
<del>Allegra Hazard</del>	ALLEGRA HAZARD	246 VERMONT AVE.
<del>Steven C Hazard</del>	STEVEN C HAZARD	81 PAYTON ST
<del>Andriana Delacruz</del>	ANDRIANA DELACRUZ	226 Vermont Ave
<del>Beverly Monteiro</del>	BEVERLY MONTEIRO	218 VERMONT AVE
<del>Beverly Monteiro</del>	BEVERLY MONTEIRO	218 VERMONT AVE

<del>0115</del> <sup>1</sup>	SERVET OZBEK	229 WASHINGTON AVE
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I, Miss Young, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
-----  
Signature  
90 Hillmore St apt J  
-----  
Address (Street & Number)  
PROV, RI 02908  
-----  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Gunn Tibbot  
-----  
Notary Public  
My term expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

23

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2015 JAN 19 P 12:52  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

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(b) Definitions.

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Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK</del> <del>W. J. Vega</del>	<del>EIBA L. VEGA</del>	<del>213 LINWOOD AVE</del>
<del>OK</del> <del>Maria Pellegrin</del>	<del>Maria Pellegrin</del>	<del>103 28<sup>th</sup> Grove St</del>
<del>OK</del> <del>Felinda Felix</del>	<del>Felinda Felix</del>	<del>316 Edmond Ave</del>
<del>OK</del> <del>Janet Felix</del>	<del>JANET A FELIX</del>	<del>20 grand st apt 403</del>
<del>OK</del> <del>Patricia Polanco</del>	<del>PATRICIA Polanco</del>	<del>20 Grand St Providence</del>
<del>OK</del> <del>gonzalez</del>	<del>gonzalez</del>	<del>305 20 grand st</del>
<del>OK</del> <del>Jose B Rodriguez</del>	<del>JOSE B RODRIGUEZ</del>	<del>540 Dexter St. Providence</del>
<del>OK</del> <del>ANITA Garcia</del>	<del>ANITA Garcia</del>	<del>20 Grand St 410</del>
<del>OK</del> <del>Luz Burgos</del>	<del>Luz Burgos</del>	<del>20 Grand St Apt 408</del>
<del>OK</del> <del>Blanca Mejia</del>	<del>Blanca Mejia</del>	<del>20 grand st apt 404</del>
<del>OK</del> <del>Juan F. Ortiz</del>	<del>JUAN FORTIZ</del>	<del>20 Grand St apt 504</del>
<del>OK</del> <del>Antonio Diaz</del>	<del>Antonio Diaz</del>	<del>20 grand st apt 312</del>
<del>OK</del> <del>Cristina A Joaquin</del>	<del>CRISTINA A JOAQUIN</del>	<del>20 grand st apt - 202</del>
<del>OK</del> <del>Hector M. Marchant</del>	<del>HECTOR M. MARCHANT</del>	<del>20 Grand St Apt 202</del>
<del>OK</del> <del>Eladio Luna</del>	<del>Eladio Luna</del>	<del>20 grand st apt 305</del>
<del>OK</del> <del>Jasmine Luna</del>	<del>Jasmine Luna</del>	<del>20 grand st apt 305</del>
<del>OK</del> <del>Damiana Ortiz</del>	<del>Damiana Ortiz</del>	<del>20 grand st 303</del>
<del>OK</del> <del>Maria Torres</del>	<del>Maria Torres</del>	<del>107 Abbott St Providence</del>
<del>OK</del> <del>Maria Mercedes</del>	<del>Maria Mercedes</del>	<del>20 Grand St 515</del>
<del>OK</del> <del>Candida Hall</del>	<del>CANDIDA HALL</del>	<del>20 Grand St Apt 511</del>
<del>OK</del> <del>Rosa Mejia</del>	<del>ROSA MEJIA</del>	<del>20 Grand St 612</del>
<del>OK</del> <del>Anania Turbida</del>	<del>Anania Turbida</del>	<del>72 Sorrento St Providence</del>
<del>OK</del> <del>Rosa Procco</del>	<del>ROSA PROCCO</del>	<del>20 grand st apt 603</del>
<del>OK</del> <del>Fabell Mejia</del>	<del>Fabell Mejia</del>	<del>20 Grand St 602</del>
<del>OK</del> <del>Norma I. Hernandez</del>	<del>Norma I. Hernandez</del>	<del>20 Grand St #308 Providence, R.I.</del>
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I, Petronila Polanco, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Petronila Polanco  
 Signature  
209 road st APT 415  
 Address (Street & Number)  
PROV. RI 02807  
 City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10<sup>th</sup> day of April

A.D. 20 14  
Michael Hay  
 Notary Public

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2019 APR 11 12:53

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

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management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Milton Rodriguez</del>	<del>Milton Rodriguez</del>	<del>100 Atwells APT 205</del>
<del>ISRAEL EZ</del>	<del>Israel Fuentes</del>	<del>157 Willow St</del>
<del>Zoila G. Segura</del>	<del>Zoila G. Segura</del>	<del>73 Hagen St. Prov. R.I. 02904</del>
<del>Yvonne Hernandez</del>	<del>Yvonne Hernandez</del>	<del>500 E. Kissner</del>
<del>Maria Victoria</del>	<del>MARIA VENTURA</del>	<del>159 Bridgman St.</del>
<del>Benedicto Vazquez</del>	<del>Benedicta Vazquez</del>	<del>359 Carpenter St</del>
<del>Moises M</del>	<del>Moises M</del>	<del>335 Half St. #13</del>
<del>Julia del Giudice</del>	<del>Julia del Giudice</del>	<del>1 Valley St Prov. R.I. 02909</del>
<del>Wanda M. Lopez</del>	<del>Wanda M. Lopez</del>	<del>1 Valley St Prov. R.I. 02909 Apt 609</del>
<del>Jason Sauer</del>	<del>Jason Sauer</del>	<del>85 Beechwood Ave</del>
<del>MARIA LUCIA</del>	<del>MARIA LUCIA</del>	<del>8 West Clifford St Providence 02907</del>
<del>Ma Juana Lebron</del>	<del>Ma Juana Lebron</del>	<del>1 Valley St RI</del>
<del>Engracia Concepcion</del>	<del>Engracia Concepcion</del>	<del>79 Florence RI 02909</del>
<del>Eda M. Castillo</del>	<del>Eda M. Castillo</del>	<del>15 McLaughlin St. RI 02907</del>
<del>Esmeralda Espinel</del>	<del>Esmeralda Espinel</del>	<del>499 Potter Ave Prov. RI</del>
<del>Araceli Santana</del>	<del>Araceli Santana</del>	<del>3000 St. Providence</del>
<del>Araceli Santana</del>	<del>Araceli Santana</del>	<del>64 1/2 St. Providence 02909</del>
<del>Cecilia A. Fernandez</del>	<del>Cecilia</del>	<del>1507th APT 725-02903</del>
<del>Graciela M. Cerezo</del>	<del>Graciela M. Cerezo</del>	<del>28 Harris Ave APT 125</del>
<del>MATILDE GORRAN</del>	<del>MATILDE GORRAN</del>	<del>28 Harris Ave APT 125</del>
<del>Amorosa Reynoso</del>	<del>Amorosa Reynoso</del>	<del>1 Cadillac Dr. Prov.</del>
<del>Alejandro Espinal</del>	<del>Alejandro Espinal</del>	<del>157 Wendel St. P. RI</del>
<del>Rosa Lisa Rodriguez</del>	<del>Rosa Lisa Rodriguez</del>	<del>10 George St. Pawtucket, RI</del>
<del>ROSA CHALAS</del>	<del>ROSA CHALAS</del>	<del>1 Cadillac APT 614</del>
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I, Ge PENNA, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Ge PENNA  
Signature

Address (Street & Number)  
20 KELLEY ST AP 202 Providence RI  
City or Town 02909

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
Notary Public

My commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 1 12:50

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)	#
<del>Debra Gilbert</del>	Debra Gilbert	50 Prairie Ave Providence	216
<del>Chante Coolen</del>	Chante Coolen	50 Prairie Ave Apt 510	
<del>Hakee Acosta</del>	Hakee Acosta	50 PRAIRIE AVE 627	
<del>Kevin Johnson</del>	Kevin Johnson	80 Oxford St	
<del>Ralph L Taylor Jr</del>	RAIPH L TAYLOR JR	290 Dudley St 2nd Floor	
<del>Richard Gonzalez</del>	RICHARD GONZALEZ	50 PRAIRIE AVE	
<del>Manuel Gomez</del>	MANUEL GOMEZ	50 PRAIRIE AVE. PROVIDENCE	
<del>Steph Keston</del>	Steph Keston	50 PRAIRIE AVE	APT 413
<del>Maria Corcick</del>	MARIA CORCICK	50 PRAIRIE AVE	
<del>Miladys Morel</del>	Miladys Morel	50 PRAIRIE AVE	APT 316
<del>Celeste Garcia</del>	Celeste Garcia de Napron	50 Prairie Ave Apt 316	
<del>Marcelina Flander</del>	MARCELINA FLANDER	50 PRAIRIE AVE APT 322	
<del>Randy Nilon</del>	Randy Nilon	1000 Priscilla Ave	
<del>Susan Daly</del>	Susan DALY	4 William Ellery Plc	02909
<del>Robin L Calvin</del>	Robin L Calvin	175 WOOD ST #3 Providence	
<del>Joanna M. Lopez</del>	Joanna M. Lopez	2 Netop Drive Providence, R.I.	
<del>Giovanna D'Anta</del>	GIOVANNA D'ANTA	30 HEGAN AVE	101
<del>Rachana Ferra</del>	Rachana Ferra	30 HEGAN AVE	
<del>Paul De Marco</del>	PAUL DE MARCO	30 HEGAN AVE	
<del>Mark Jones</del>	MARK JONES	40 Leander St 101	
<del>Joyce Bullock</del>	Joyce Bullock	40 Leander St 104	
<del>Madelene Greenidge-Pes</del>	Madelene Greenidge-Pes	40 Leander St 214	
<del>Enoe Cora</del>	Enoe CORA	10 Hillhurst Ave	
<del>Patrick Blin</del>	PATRICK BLIN	40 LEANDER ST #116	
<del>Tom Fecomb</del>	TOM FECOMB	40 LEANDER ST #113	
<del>Carlos Ortiz</del>	CARLOS ORTIZ	40 LEANDER ST	
<del>Regina Taglior</del>	Regina Taglior	40 Leander St	
<del>Jackie Brown</del>	Jackie Brown	40 Leander St	
<del>Ronald Cabral</del>	Ronald Cabral	40 Leander St	

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I, Courtney Smith, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Courtney Smith  
-----  
(Signature)  
40 Princeton Ave  
-----  
Address (Street & Number)  
Providence, RI  
-----  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 11<sup>th</sup> day of April

\_\_\_\_\_, A.D. 2014  
Rosamond June Talbot  
-----  
Notary Public  
My commission expires  
4. 4. 16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

12

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
APR 11 12:53 PM

Providing as follows:

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Maria Fajardo</del>	MARIA FAJARDO	200 Gordon 204
<del>Maria Fajardo</del>	MARIA FAJARDO	200 Gordon 204
<del>Dawn Jackson</del>	DAWN JACKSON	200 Gordon 204
<del>Carl Skinner</del>	CARL SKINNER	200 Gordon Ave #212
<del>Carmen Moreno</del>	C. A. Moreno	200 Gordon 213
<del>Raul Hernandez</del>	RAUL HERNANDEZ	20 Gordon Ave #214
<del>Cecilia Hernandez</del>	Cecilia HERNANDEZ	200 GORDON AVE APT 214
<del>Rubén Nieves</del>	RUBÉN NIEVES	200 GORDON AVE 206
<del>Di O Mido Jimenez</del>	DI O MIDO JIMENEZ	200 Gordon Ave #200
<del>Nidia Rodriguez</del>	Nidia Rodriguez	200 Gordon Ave APT 310
<del>John D. Los</del>	John D. LOS	200 Gordon 311
<del>Anna Mae Wilson</del>	ANNA MAE WILSON	200 Gordon Ave 314
<del>Hilda Oyola</del>	Hilda Oyola	260 - Boston Ave #101
<del>Freddy Oyola</del>	Freddy Oyola	200 Gordon Ave 404
<del>Melba Fernandez</del>	MELBA FERNANDEZ	200 Gordon Ave APT 501
<del>Silvia Tanier</del>	SILVIA TANIER	200 GORDON AVE APT 501
<del>Maria Alvarez de R.</del>	Maria Alvarez de R.	200 Gordon Ave APT 501
<del>Exio H. Babaja</del>	Exio H. Babaja	200 GORDON AVE 507
<del>Melvin R. Boyd</del>	Melvin R. Boyd	200 Gordon Ave APT 607
<del>Margaret Johnson</del>	MARGARET JOHNSON	200 Gordon Ave 609
<del>Microl Akina</del>	Microl AKINA	1 Narvana Street APT
<del>Bobby Roberson</del>	Bobby Roberson	200 Gordon Ave
<del>Zaira M. Betances</del>	Betances Zaira	200 Gordon 612
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I, James Daly, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jim Daly  
Signature  
38 Mowbray St Apt #6  
Address (Street & Number)  
Providence RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Tolbert  
Notary Public

My commission expires 4-4-16

# 4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

12

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 11 P 1252

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Michael Perry</del>	<del>Michael Perry</del>	<del>50 RANDALL ST APT 10</del>
<del>Paul C. Chin</del>	<del>PAUL CHIN</del>	<del>50 RANDALL ST</del>
<del>Raul Neves</del>	<del>RAUL NEVES</del>	<del>50 RANDALL ST 8B</del>
<del>Donna Butler</del>	<del>DONALD BUTLER</del>	<del>50 RANDALL ST. APT 8VD</del>
<del>Tainika Mason</del>	<del>TAINIKA MASON</del>	<del>50 RANDALL ST APT 8F</del>
<del>Maury A. Leg</del>	<del>MAURY A. LEG</del>	<del>50 RANDALL ST 4 FL</del>
<del>Leonial Vygoder</del>	<del>LEONIAL VYCODER</del>	<del>50 RANDALL ST 4 FL</del>
<del>Anna Vygoder</del>	<del>ANNA VYCODER</del>	<del>50 RANDALL ST 4 FL</del>
<del>Mary Elyong</del>	<del>MARY ELYONG</del>	<del>50 RANDALL ST 4 FL</del>
<del>Natividad R. Morales</del>	<del>NATIVIDAD R. MORALES</del>	<del>50 RANDALL ST 5B</del>
<del>Willard Allen</del>	<del>WILLARD ALLEN</del>	<del>50 RANDALL ST 76</del>
<del>Marcus Teixeira</del>	<del>MARCUS TEIXEIRA</del>	<del>126 WILLOW ST PROV</del>
<del>Dulma Paula</del>	<del>DULMA PAULA</del>	<del>136 W. HILL ST PROV</del>
<del>Makya O. Toh</del>	<del>MAKYA O. TOH</del>	<del>153 HUDSON ST PROV</del>
<del>Paul Klumpke</del>	<del>PAUL KLUMPE</del>	<del>119 HUDSON ST #2</del>
<del>Amanda Haller</del>	<del>AMANDA HALLER</del>	<del>115 HUDSON</del>
<del>Darcas Haller</del>	<del>DARCAS HALLER</del>	<del>115 HUDSON</del>
<del>Liz Bro</del>	<del>LIZ BRO</del>	<del>91 WILSON ST</del>
<del>Brian Gouk</del>	<del>BRIAN GOUK</del>	<del>81 HUDSON, PROV, RI 02907</del>
<del>Kimberly Dexter</del>	<del>KIMBERLY DEXTER</del>	<del>77 HUDSON ST, PROV</del>
<del>Sarah Jane Dexter</del>	<del>SARAH JANE DEXTER</del>	<del>77 HUDSON ST, PROV R.I.</del>
<del>Alma Allen</del>	<del>ALMA ALLEN</del>	<del>ALMA ALLEN</del>
<del>Macey Hellenwell</del>	<del>MACEY HELLENWELL</del>	<del>47 HUDSON ST PROV RI</del>
<del>Kristin Allard</del>	<del>KRISTIN ALLARD</del>	<del>11 HUDSON ST</del>
<del>Dale Anolasson</del>	<del>DALE ANOLASSON</del>	<del>20 HUDSON ST</del>
<del>Frances M. Araya</del>	<del>FRANCES M. ARAYA</del>	<del>54 HUDSON ST. PROV RI 02909</del>
<del>Chas Fragote</del>	<del>CHAS FRAGOTE</del>	<del>74 WILLOW ST PROV RI 02909</del>

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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Justin Kelley  
Signature  
74 Willow St  
Address (Street & Number)  
Providence RI 02909  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

[Signature]  
Notary Public exp. 9/24/17

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 1 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

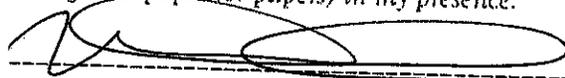
Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>NO</del>	Victoria Ruiz	81 Congress Ave Providence 02907
<del>NO</del>	ANN	30 JAGAN ST PROV, RI
<del>NO</del>	Evelyn Montes	30 HADSON ST 105
<del>NO</del>	DANIEL COLON	30 HADSON ST 105
<del>NO</del>	Raven McAninch	22 Memorial Rd.
<del>NO</del>	Steve Markovitz	22 Memorial Rd.
<del>NO</del>	NICHOLAS CARTER	18 HUDSON ST APT 2
<del>NO</del>	MADELINE M RAY	97 PARADE ST, PROV RI
<del>NO</del>	Nicholas Hillstrom	44 Hudson St #1
<del>NO</del>	Norlan Olivo	131 Washington St 02903 Prov RI
<del>NO</del>	ANDRIAN RANDALL	131 Moore St, 02907 PVD, RI
<del>NO</del>	SUSAN BEATTY	109 PRINCETON AVE 02907
<del>NO</del>	SUSAN BEATTY	45 OAK ST 02909
<del>NO</del>	Michaela Connors	50 Carolina Ave 02905
<del>NO</del>	LISA Wilkerson	37 Harvard Ave 02907
<del>NO</del>	Maura Lopez	145 Alverson Ave 02909
<del>NO</del>	Daniela Ben Bassak	16 Pallas St 02903
<del>NO</del>	Daniella Ben Bassak	445 Broadway 02009
<del>NO</del>	Baewer Tolwee	359 Carpenter St 119
<del>NO</del>	Cejda Roman	359 Carpenter St 117
<del>NO</del>	CEJDA ROMAN	359 CARPENTER ST. 117
<del>NO</del>	ANAD, LUCIANO	359 CARPENTER ST 117
<del>NO</del>	ANAD, LUCIANO	359 Carpenter St 112
<del>NO</del>	Martha Di Mengua	359 Carpenter St 105
<del>NO</del>	M C UJANIA	359 Carpenter St #209
<del>NO</del>	Virginia Colon	
<del>NO</del>	SABINA S. NJOKU	359 Carpenter St #408

Victoria

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I, Nickora Ruiz, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.



Signature  
81 Congress

Address (Street & Number)

Providence

City or Town

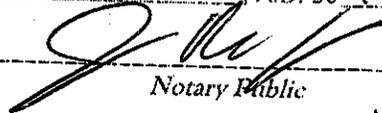
State of Rhode Island

Providence, So.

Subscribed to me this 10 day of

April

A.D. 2014

  
Notary Public

Commission Expires 10/19/16  
Joseph DeFrancesco

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

26

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

2015 APR 11 P 12:58  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Alex Agasso</del>	<del>Alex Agasso</del>	<del>993 Manion Ave</del>
<del>Richard Gurnea</del>	<del>RICHARD GURNEA</del>	<del>993 Manion Ave</del>
<del>Enrique Gonzalez</del>	<del>ENRIQUE GONZALEZ</del>	<del>993 MANION AVE 512</del>
<del>Michael Parker</del>	<del>MICHAEL PARKER</del>	<del>50 PRAIRIE AVE #526</del>
<del>D R D. RIVERA</del>	<del>D R D. RIVERA</del>	<del>50 PRAIRIE AVE #525</del>
<del>Nekeida Sereno</del>	<del>Nekeida Sereno</del>	<del>50 PRAIRIE AVE 425</del>
<del>Shirley McMorris</del>	<del>Shirley McMorris</del>	<del>50 PRAIRIE AVE apt 311</del>
<del>Nilda Santiago</del>	<del>Nilda Santiago</del>	<del>50 PRAIRIE AVE #212</del>
<del>Joyce Buchanan</del>	<del>Joyce Buchanan</del>	<del>50 PRAIRIE AVE apt 111</del>
<del>Viola Buchanan</del>	<del>Viola Buchanan</del>	<del>50 PRAIRIE AVE 111</del>
<del>Julia Francis</del>	<del>JULIA FRANCIS</del>	<del>50 PRAIRIE AVE #113</del>
<del>Elizabeth Ogden</del>	<del>Elizabeth Ogden</del>	<del>80 CURTIS ST #617</del>
<del>Patricia Ryan</del>	<del>Patricia Ryan</del>	<del>80 CURTIS ST #606</del>
<del>Lorraine Wood</del>	<del>Lorraine Wood</del>	<del>80 CURTIS ST 602</del>
<del>Richard Holt</del>	<del>RICHARD HOLT</del>	<del>80 CURTIS ST 602</del>
<del>Aracelis Salgado</del>	<del>ARACELIS SALGADO</del>	<del>80 CURTIS ST 513</del>
<del>Teofila Veloz</del>	<del>TEOFILA VELOZ</del>	<del>80 CURTIS ST #415</del>
<del>Abel Torres</del>	<del>ABEL TORRES</del>	<del>80 CURTIS ST #403</del>
<del>Elys Hernandez</del>	<del>Elys Hernandez</del>	<del>80 CURTIS ST #403</del>
<del>Jacqueline Dorley</del>	<del>Jacqueline Dorley</del>	<del>80 CURTIS ST PROV</del>
<del>Angel Hernandez</del>	<del>Angel Hernandez</del>	<del>8 Elmdale Ave Prov</del>
<del>Caterina</del>	<del>CATERINA</del>	<del>80 CURTIS ST</del>
<del>Patricia</del>	<del>PATRICIA</del>	<del>80 CURTIS ST apt 216</del>
<del>Yvonne Herrera</del>	<del>Yvonne Herrera</del>	<del>80 CURTIS ST apt 313</del>
<del>Noemi Martinez</del>	<del>NOEMI MARTINEZ</del>	<del>80 CURTIS ST PROV</del>
<del>Luis Burgos</del>	<del>Luis Burgos</del>	<del>80 CURTIS ST apt 109</del>
<del>James Dav</del>	<del>James Dav</del>	<del>38 MANION ST APT #6</del>

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I, MIRJAAM A. PARADA, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Mirjaam A. Parada  
Signature  
653 MANTON AVE 2nd FL.  
Address (Street & Number)  
PROV. R.I. 02909  
City or Town

State of ~~Rhode~~ Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anne Talbot  
Notary Public  
 My commission expires 4-4-16

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#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

7nd

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 1 P 12:52  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets (or catered meetings) shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
NO 1.		
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NO 3.		
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NO 30.		



80.	<del>DK Dorothy Brand</del> Dorothy BRAND	50 Randall St #2B
81.	<del>DK K. K. Kray</del> K. K. Kray	50 Randall St 2F
82.	<del>DK Joseph Sierra</del> Joseph Sierra	50 RANDALL ST 21
83.	<del>DK Maria Sierra</del> Maria Sierra	50 RANDALL ST 3B
84.	<del>DK Ricardo Concepcion</del> Ricardo Concepcion	50 Randall St 3A
85.	<del>DK Charles Butler</del> Charles Butler	50 Randall St. 3C
86.	<del>DK Maria Mota</del> Maria Mota	50 Randall St 4D
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I, Jonathan Canela of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jonathan Canela  
 Signature  
 245 Lockwood St Apt F  
 Address (Street & Number)  
 Providence  
 City or Town

State of Rhode Island  
 \_\_\_\_\_, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

My Commission Expires on  
 12-23-2016

Juan J. Valdes  
 Notary Public

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City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 11 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business. WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that: Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

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(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

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(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

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(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

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Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>XXXXXXXXXXXXXXXXXXXX</del>	PEDRO F. MARQUEZ	8 ATLANTIC AV 2 PISO
<del>XXXXXXXXXXXXXXXXXXXX</del>	SANTIAGO CUEZADA	158 Sander
<del>XXXXXXXXXXXXXXXXXXXX</del>	SANTIAGO TORRES	30 WASHINGTON ST.
<del>XXXXXXXXXXXXXXXXXXXX</del>	R. Leoncia	martes r.
<del>XXXXXXXXXXXXXXXXXXXX</del>	ARCELIO RODRIGUEZ	243 SMITH ST 243
<del>XXXXXXXXXXXXXXXXXXXX</del>	ROSA RAMOS	243 SMITH ST Apt 711
<del>XXXXXXXXXXXXXXXXXXXX</del>	JOHNNY ROSARIO	735 Potters Ave 500V.
<del>XXXXXXXXXXXXXXXXXXXX</del>	WELLINGTON RAMIREZ	243 SMITH ST Apt 707
<del>XXXXXXXXXXXXXXXXXXXX</del>	Jose M. Rodriguez	243 Smith 607
<del>XXXXXXXXXXXXXXXXXXXX</del>	AMABILIS RODRIGUEZ	383 Blackstone St
<del>XXXXXXXXXXXXXXXXXXXX</del>	Angela Galuska	97 Dixon St. 1
<del>XXXXXXXXXXXXXXXXXXXX</del>	HER NORMAN	33 Dixon St. 1
<del>XXXXXXXXXXXXXXXXXXXX</del>	RAFAEL A. COLON	1176 ELWOOD AVE 1
<del>XXXXXXXXXXXXXXXXXXXX</del>	Susan Lambert	1174 Elmwood Ave 3
<del>XXXXXXXXXXXXXXXXXXXX</del>	Joseph Medeiros	1174 Elmwood Ave 3
<del>XXXXXXXXXXXXXXXXXXXX</del>	Julio Galvan	1158 Elmwood Av. Ma
<del>XXXXXXXXXXXXXXXXXXXX</del>	MIGUEL GALVAN	1158 Elmwood Av.
<del>XXXXXXXXXXXXXXXXXXXX</del>	LINDA LANGRISH	30 Potters Drive
<del>XXXXXXXXXXXXXXXXXXXX</del>	Alexis Pezner	54 STAMFORD AVE.
<del>XXXXXXXXXXXXXXXXXXXX</del>	ERIN HANCOCK	30 Stamford Ave.
<del>XXXXXXXXXXXXXXXXXXXX</del>	Barbara Karina Lutz	1 Hamlin St. Prov RI 02907
<del>XXXXXXXXXXXXXXXXXXXX</del>	James Tull	1 Hamlin St Prov, RI 02907
<del>XXXXXXXXXXXXXXXXXXXX</del>	ISABEL DURANTE	49 HAMLIN STREET
<del>XXXXXXXXXXXXXXXXXXXX</del>	Jillian Robinson	45 Hamlin Street
<del>XXXXXXXXXXXXXXXXXXXX</del>	Flora	725 Governor St
<del>XXXXXXXXXXXXXXXXXXXX</del>	HERNANDEZ ANT ALICIA	423 Madison St Prov RI 02907
<del>XXXXXXXXXXXXXXXXXXXX</del>	Belkis Alvarado	379 Potters Ave; Prov, RI 02907
<del>XXXXXXXXXXXXXXXXXXXX</del>	Karla Cashio	381 Potters Ave, Prov RI 02907
<del>XXXXXXXXXXXXXXXXXXXX</del>	Karla Castillo	

✓ 016 <del>John</del> <i>John</i>	Caminante Santiago	28 Saint James St Prov. RI
✓ 017 <del>John</del> <i>John</i>	Sahumi Ciprian	381 POTTERS AVE, PROV. RI 02907
✓ 018 <del>John</del> <i>John</i>	Andrew Gonzalez	14 Bydell Ave Apts, PROV. RI 02909
✓ 019 <del>John</del> <i>John</i>	AURORA HERNANDEZ	567 Hamilton St. PROV. RI 02907
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I, Carmen Castillo, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Carmen Castillo

Carmen Castillo  
Signature  
381 POTTERS AVE  
Address (Street & Number)  
PROV RI 02907  
City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10<sup>th</sup> day of April

Joseph A. Dine  
Notary Public  
Com exp 7/2/14  
, A.D. 20 14

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

20

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2010 APR 11 P 12:53  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

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Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>[Signature]</i>	EUGENIO BOBLE	301 Cranston St Apt 224
<i>[Signature]</i>	ANTONIO ROYERUS	29 Park Ave Apt 122
<i>[Signature]</i>	Barbara L. Thorpe	301 Cranston St. Apt 309 Prov., R
<i>[Signature]</i>	Mary E. Thorpe	301 Cranston St #301 " "
<i>[Signature]</i>	NAPOLYON KUNY	302 870 Broad St 302
<i>[Signature]</i>	FRÉGO RIVERENCARACION	301 Cranston St #B18
<i>[Signature]</i>	Julian ESPINAL	301 Cranston St #B18
<i>[Signature]</i>	Janillete Acevedo	33 Chambers St + 1st Fl Prov. RI 02907
<i>[Signature]</i>	Carmen L. Runge	301 Cranston St #308
<i>[Signature]</i>	ROLANDO MENDEZ	201 Cranston St 26
<i>[Signature]</i>	Vicente Vinas	301 Cranston St Apt 111 220-
<i>[Signature]</i>	Joseph Williams	301 Cranston St Apt 111
<i>[Signature]</i>	Maria Vasquez	301 Cranston St Apt 109 Cranston St
<i>[Signature]</i>	STEPHANUS	501 Cranston St Apt 108
<i>[Signature]</i>	KEVIN DAWKINS	301 Cranston Apt 101
<i>[Signature]</i>	HELEN SHEPARD	301 Cranston Apt 102
<i>[Signature]</i>	Herbert Anderson	301 Cranston St Apt 114
<i>[Signature]</i>	Mac Shar	301 Cranston St
<i>[Signature]</i>	Jessamine With	301 Cranston St
<i>[Signature]</i>	PHILIP - MARIMON	301 Cranston St
<i>[Signature]</i>	Darren Mitchell	2 Dixon St Prov RI
<i>[Signature]</i>	ROBERT LAYTON	2607 NUTCRACKER BLVD
<i>[Signature]</i>	Hubert HARRIS	931 Alabama Ave RI
<i>[Signature]</i>	Eddie R. Theris	231 Alabama Ave Prov. RI 02907
<i>[Signature]</i>	Blouidence B	246 Alabama Ave Prov. RI
<i>[Signature]</i>	Blouidence B	246 Alabama Ave Prov. RI
<i>[Signature]</i>	Jennifer Calderon	240 Massachusetts Ave Providence RI
<i>[Signature]</i>	Harolin Chavez	295 Massachusetts Ave Prov 02905
<i>[Signature]</i>	HENRY CHAVEZ	295 MASS. AVE. PROV. R.I. 02905

<del>John Chavez</del>	Lone Chavez	295 Massachusetts Ave
<del>Yana Chavez</del>	Rosa Chavez	295 Massachusetts Ave.
<del>Michael Styr</del>	Michael Styr	5 Dixon St
<del>Nakia Holloway</del>	Nakia Holloway	44 Hamlin St.
<del>Charlie Perez</del>	Charlie Perez	43 Priscilla Av. 02029 Ped
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I, Jonathan Canela, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jonathan Canela  
 Signature  
295 Lockwood St APT F  
 Address (Street & Number)  
Providence  
 City or Town

State of Rhode Island  
 \_\_\_\_\_, Sc.

Subscribed to me this 17<sup>th</sup> day of APRIL, A.D. 2014

My Commission Expires on  
12-23-16

Juan J. Valde  
 Notary Public

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 1 11:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>John Field</del>	John Field	100 Broad St
<del>Isis DeLeon</del>	Isis DeLeon	100 Broad St #19
<del>Charles C. Lewis</del>	Charles C. Lewis	100 Broad St #829
<del>Nelson R. Casario</del>	Nelson R. Casario	100 Broad St. #211
<del>Sandra Turner</del>	Sandra Turner	100 Broad St. #212
<del>Toba Weiss</del>	TOBA WEISS	100 BROAD ST #213
<del>James Beck</del>	JAMES BECK	100 Broad St #229
<del>V. J. Harris (vancile)</del>	V. J. Harris (vancile)	100 Broad St 315
<del>William Perez</del>	William Perez	100 Broad St 317
<del>Hermilio G. Frias</del>	Hermilio G. Frias	100 Broad St. 326
<del>Luz M. Caballero</del>	Luz M. Caballero	100 Broad St #332
<del>David M. Corsia</del>	DAVID M. CORSIA	100 BROAD ST APT #412
<del>Frederick Cruz</del>	Frederick Cruz	100 Broad St Providence RI
<del>Cheryl Tarant</del>	Cheryl Tarant	100 Broad St Providence RI
<del>E.C.</del>	E.C.	100 Broad St Providence RI
<del>A.C. Aurora Clinton</del>	A.C. Aurora Clinton	100 Broad St apt #24
<del>Dorothy Grace</del>	Dorothy Grace	100 Broad St APT #29
<del>Augusta Leo</del>	Augusta Leo	100 Broad St apt 501
<del>Heiter Gomb</del>	Heiter Gomb	100 BROAD ST-A502
<del>Philip E. Morris</del>	Philip E. Morris	100 Broad St Apt 533
<del>Gene A. Gaspar</del>	Gene A. Gaspar	100 Broad St., Apt 512
<del>Lucia Vargas</del>	LUCIA VARGAS	Broad St 100 - #522
<del>Glenn Hony</del>	Glenn Hony	100 BROAD ST - 521

<del>Human Gonzalez</del>	Miriam Gonzalez	100 Broad St APT 10
<del>Jonathan H. Russell</del>	Jonathan H. Russell	#025 100 Broad St Providence RI 02903
<del>Lauro D. Andino</del>	Lauro D. Andino	629 100 Broad St Providence RI 02903
<del>Felix Pasols</del>	Felix Pasols	100 BROAD ST APT 230
<del>SERRY KING</del>	SERRY KING	100 BROAD ST APT 216
<del>A LEE STEELE</del>	A LEE STEELE	100 Broad St Providence RI 02903 716
<del>Cecilia Fernandez</del>	Cecilia Fernandez	100 Broad St Providence RI 02903 725
<del>Erin K. Rivera</del>	Erin K. Rivera	100 Broad Providence 732
<del>Nicole BRICE</del>	Nicole BRICE	100 Broad S APT 800
<del>Jose Rodriguez</del>	Jose Rodriguez	100 Broad S APT 815
<del>Monica de Leon</del>	Monica de Leon	100 Broad APT 119
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I, Even McLawrence of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
-----  
Signature  
190 Knight St Apt #2  
-----  
Address (Street & Number)  
Providence  
-----  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
-----  
Notary Public

My commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**



TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CAMPAIGNERS  
& REGISTRATION  
2011 APR 11 P 12:54

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>DANARIS Segura</del>	<del>DANARIS Segura</del>	<del>15 Pleasant Ct Prov. RI 02906</del>
<del>Pablo Segura</del>	<del>Pablo Segura</del>	<del>15 Pleasant Ct. Prov. RI 02906</del>
<del>ONESIMO CARABALLO</del>	<del>ONESIMO CARABALLO</del>	<del>191 CRANTON ST. APT. 28E Prov. 02907</del>
<del>Jose De Jesus</del>	<del>Jose De Jesus</del>	<del>1 Putnam St 1 floor 02909</del>
<del>Eduarda Figueroa</del>	<del>Eduarda Figueroa</del>	<del>1 Putnam St 1 floor 02909</del>
<del>Esteban Sime</del>	<del>Esteban Sime</del>	<del>72 Appleton St 02909</del>
<del>Madeline Sime</del>	<del>Madeline Sime</del>	<del>72 Appleton St 02909</del>
<del>DANESA FRANCISCA</del>	<del>DANESA FRANCISCA</del>	<del>AVIRID ST NO. PROV 02906</del>
<del>Thumina NACK</del>	<del>Thumina NACK</del>	<del>106 Forest Ave</del>
<del>Eric Sime</del>	<del>Eric Sime</del>	<del>98 Chestnut Hill Ave Cranston RI 02910</del>
<del>Lor Delacruz</del>	<del>Lor Delacruz</del>	<del>57 Wrentham Dr Cranston RI</del>
<del>Argentina Lara</del>	<del>Argentina Lara</del>	<del>97 97 Hilary St Prov RI 02909</del>
<del>Carlos Lara</del>	<del>Carlos Lara</del>	<del>97 Hilary St 02909</del>
<del>Silene Armento</del>	<del>Silene Armento</del>	<del>20 Archer Ave Johnston RI 02919</del>
<del>LARA Garcia</del>	<del>LARA Garcia</del>	<del>18 Mercy St Prov.</del>
<del>Melania Valtz</del>	<del>Melania Valtz</del>	<del>20 CUM ST PROV. RI</del>
<del>508</del>		
<del>Edgou R Sipage</del>	<del>Edgou R Sipage</del>	<del>616 Lewis form B Coventry 02729</del>
<del>MARY JORGE</del>	<del>MARY JORGE</del>	<del>63 Ortolera Dr Prov. RI 02909</del>
<del>MINA REYES</del>	<del>MINA REYES</del>	<del>1410 Broad Street 02905</del>
<del>Elaine Martinez</del>	<del>Elaine Martinez</del>	<del>96 High School Ave</del>
<del>Maria Sazara</del>	<del>Maria Sazara</del>	<del>163 Niagara St Prov</del>
<del>Oslexis Guillon</del>	<del>Oslexis Guillon</del>	<del>18 Archer Ave Johnston</del>
<del>Rubens Guillon</del>	<del>Rubens Guillon</del>	<del>18 Archer Ave Johnston RI</del>
<del>26 Clematis St Providence</del>		
<del>Rafica Sanchez</del>	<del>Rafica Sanchez</del>	<del>86 Carolina Ave</del>
<del>Erna Francisca</del>	<del>Erna Francisca</del>	<del>9 No. S. Prov</del>
<del>Vilagros Paulino</del>	<del>Vilagros Paulino</del>	<del>292 Manton Ave Prov RI 02909</del>
<del>Leidy Dim</del>	<del>Leidy Dim</del>	<del>9 Sisson St Providence RI 02909</del>

31.	<del>Emely Rodriguez</del>	Emely Rodriguez	9 Sisson St Prox R5 00920
32.	<del>Jose Jimenez</del>	Jose Jimenez	299 Mantou Ave
33.	NO SIBIDA	1200	9 Sisson.
34.	NO SIBIDA	Maria Almonte	9 Sisson St.
35.	NO SIBIDA	Roselia R.	125 CLARENCE ST.
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I, Courtney J. Smith, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Courtney J. Smith  
Signature  
40 Princeton Ave  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 20 14

Michael H. Cap  
Notary Public

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2018 APR 11 PM 12:54

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.  
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.  
NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:  
Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Isuana R. Basarte</del>	Juana R. Basarte	80 Corinth St FL
<del>Julio Otero</del>	Julio Otero	196 Chapin Av. 02909
<del>Robert Bello</del>	Robert Bello	212 CALIFORNIA AVE. 02905
<del>Silvio C. Bell</del>	Silvio C. Bell	124 Charles St. 02904 Prov
<del>Juanita Vazquez</del>	Juanita Vazquez	63 Hall St Prov. RI 02904
<del>Carlos Ande Jar</del>	CARLOS ANDE JAR	303 CAHNS ST. 02903
<del>Juana Bisano</del>	Juana Bisano	823 Detroit Ave Prov. RI 02907
<del>Maria Bisano</del>	Maria Bisano	23 Detroit Ave Prov. RI 02907
<del>Andresey Marek</del>	Andresey Marek	1331 Eddy St., Prov. RI 02903
<del>Prosper Bisano</del>	PROSPER BISANO	21 Detroit Ave Providence 02907
<del>Navirga Nelson</del>	Navirga Nelson	27 Detroit Ave Providence 02907
<del>SADAM SACAS</del>	SADAM SACAS	97 DETROIT AVE Prov
<del>Santa Espinosa</del>	Santa Espinosa	178 Miller Ave Prov 02905
<del>Karen Feldman</del>	Karen Feldman	150 Miller Ave Prov 02905
<del>Andres Hernandez</del>	Andres Hernandez	50 SACKET ST 02907
<del>Jasmin Rosa</del>	Jasmin Rosa	122 Miller Ave Prov RI 02906
<del>Antonio E Suarez</del>	Antonio E Suarez	122 Miller Ave Prov RI 02905
<del>Anthony Torres</del>	Anthony Torres	448 PAINE AVE Prov RI 02903
<del>Julia Ortega</del>	Julia Ortega	232 OFFICE AVE. Prov. RI 02905
<del>Edibel Aguirre</del>	Edibel Aguirre	97 Princeton Av 02907
<del>Urkiana Miron</del>	URKIANA MIRON	3601 Smith St. 02905
<del>Luis A. Flores</del>	Luis A. Flores	243 VERNON LANE 02905
<del>Jaqueline Mad</del>	Jaqueline Mad	315 ELWOOD AVE 02907
<del>FRANK T. SANCHOZ</del>	FRANK T. SANCHOZ	1221 Elmwood Ave 02907
<del>ZINA BROWN</del>	ZINA BROWN	130 EVERETT ST Providence 02904
<del>Alycia Torres</del>	Alycia Torres	27 Bolton St Providence 02905
<del>MANUELA JOURDAN</del>	MANUELA JOURDAN	1264 ELWOOD AVE. Prov. RI 02907
<del>ANA JOURDAN</del>	ANA JOURDAN	1264 Elmwood Ave Providence 02907
<del>Jeanette Gomer</del>	Jeanette Gomer	99 Rugby St Providence

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<del>32</del> Daniel Acosta	<del>32</del> Daniel Acosta	514 Union Ave Providence
33 Maria Jimeno	Maria Jimeno	99 Rugby St Apt B Providence 02905
34 Olga Bonilla	Olga Bonilla	2017 Kilders St Kpru 02905
35 Milagros Acosta	Milagros Acosta	285 Niagara St. Apt 104 Providence 02905
36 Maria Garcia	Maria Garcia	99 Rugby St Apt B Providence 02905
37 Juana Rosario	Juana Rosario	99 Rugby St Apt C Providence 02905
38 Philip Montero	Philip Montero	285 Niagara St. Apt 104 Providence 02905
39 Carmen Acosta	Carmen Acosta	99 Rugby St Apt B Providence 02905
40 Luis Jimeno	Luis Jimeno	99 Rugby St Apt B Providence 02905
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I, Manvel Godera, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Manvel Godera  
Signature  
19 GROVEST  
Address (Street & Number)  
PROVIDENCE RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

Joseph DeFrancisco  
Notary Public  
Commission expires 10/19/16

#4278

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**City of Providence**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

2014 APR 11 P 12:53

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK</del> Barbara Bassett	Barbara Bassett	100 Broad Apt 231
<del>OK</del> Maria Daniela	Maria Daniela	100 Broad St 402
<del>OK</del> Marvin Johnson	Marvin Johnson	60 Bridgeman St
<del>OK</del> Yris de Perez	Yris de Perez	100 Broad St. 426
<del>OK</del> Ivette Marenzo	Ivette Marenzo	100 Broad St APT 505
<del>OK</del> Maria Elena	MARIA ELA	100 Broad St 509
<del>OK</del> Ana Maria Luna	Ana Maria Luna	100 Broad 524
<del>OK</del> Awilda Perez	Awilda Perez	Whelan Rd 1PHH
<del>OK</del> Maiva Gomis	<del>Maiva Gomis</del>	
<del>OK</del> Maiva Gomis	Maiva Gomis	100 Broad apt 532
<del>OK</del> Maria Jimenez	Maria Jimenez	100 Broad 30 A 1619
<del>OK</del> Dora Cegua	Dora Cegua	100 Broad 30 A 1619
<del>OK</del> Melinda Torres	Melinda Torres	100 Broad Apt 622
<del>OK</del> Barbara Whitman	BARBARA WHITMAN	100 Broad St Apt 631
<del>OK</del> Andrea Torres	ANDREA TORRES	100 Broad St. Providence 02903-6353
<del>OK</del> Alegracia Gonzalez	Alegracia Gonzalez	100 Broad St. 02903-718
<del>OK</del> Mariel Serrano	Mariel Serrano	106 Broad St. apt 1728
<del>OK</del> JAMES SPIKES	JAMES SPIKES	160 Broad St 721
<del>OK</del> Kent M Gamber	Kent M Gamber	100 Broad St. H 808
<del>OK</del> [Signature]	[Signature]	100 BROAD 810
<del>OK</del> Inez Freeman	INEZ FREEMAN	100 Broad St 819
<del>OK</del> Ramona Hernandez	Ramona Hernandez	100 Broad St 821
<del>OK</del> Richard Howard	RICHARD HOWARD	100 Broad St 828
<del>OK</del> Gary Leach	GARY LEACH	100 Broad St 902
<del>OK</del> Nicida Bueno	Nicida Bueno	107 Webster Ave 460 RI
<del>OK</del> Jose Bueno	Jose Bueno	100 Broad St 910
<del>OK</del> Ronnie Kaott	Ronnie Kaott	100 Broad St 914
<del>OK</del> [Signature]	[Signature]	100 Broad St 1009
<del>OK</del> [Signature]	[Signature]	100 Broad St 1020

OK	Joanna Silard	Joanna Silard	100 Broad St Apt 10M
OK	<del>Carol Elbert</del>	<del>Carol Elbert</del>	<del>670 N. Main St Apt 2nd</del>
OK	Louis, Dominick	Louis	670 North Main St
OK	Linda C. Burrows	Linda Burrows	670 North Main St
OK	Antonio Barz	Antonio Barz	670 N. Main #4R
OK	Lucille Koppala	Lucille Koppala	670 North Main. 4R
OK	Edward Salaman	Edward Salaman	670 N. Main 3A
OK	Sam	Sam	670 N. Main - 45
OK	Pedro Rodriguez	SAMUEL MINOR	670 N. Main St Apt 5-L
OK	Stephanie Cost	Pedro Rodriguez	670 N. Main St CL 11 6B
OK	Stephanie Cost	Stephanie Cost	670 N. Main St
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I, Evan McLaughlin of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
Signature  
190 Knight St #2  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosemond Anna Talbot  
Notary Public

My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

27

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 21 P 12:53

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Florencia Aquino</i>	Florencia Aquino	20 Kelley St Apt 201 RI 02909
<i>Yadira Aquino</i>	YADIRA AGUINO	20 Kelley St. Prov. RI 02909
<i>FERRER</i>	FERRER	20 KELLEY ST APT 202 PROV RI 02909
<i>Isabel Ndong</i>	Isabel Ndong	20 Kelley St Apt 404 Prov RI 02909
<i>IRMA PAYAN</i>	IRMA PAYAN	20 Kelley St Apt 208 Prov RI 02909
<i>Johnny Rosario</i>	Johnny Rosario	20 Kelley St Apt 302 Prov RI 02909
<i>Federico Bruno</i>	FELIPE RUIZ BOUNO	20 KELLY ST APT 303 PROV RI 02909
<i>Jose R. Villanueva</i>	JOSE R. VILLANUEVA	20 KELLY APT 304 PROV RI 02909
<i>MARTHA VANOVER</i>	MARTHA VANOVER	20 Kelly St Apt 306 Prov RI 02909
<i>MIKE LAMARCA</i>	MIKE LAMARCA	20 Kelly St Apt 308 Prov RI 02909
<i>Isabel O. Ndong</i>	Isabel O. Ndong	20 Kelly St. Apt. 404 02909
<i>Luz Ramos</i>	Luz Ramos	20 Kelley St Apt 1104
<i>DAVID SANTIAGO</i>	DAVID SANTIAGO	20 KELLEY ST APT 807
<i>SAMUEL MALAVE</i>	SAMUEL MALAVE	20 KELLEY ST APT 908
<i>Lorenza Rojas</i>	Lorenza Rojas	20 Kelley St Apt 905
<i>JOYCE BENJAMIN</i>	JOYCE BENJAMIN	20 Kelley St Apt 906
<i>DOMINGA RODRIGUEZ</i>	DOMINGA RODRIGUEZ	3/20 Kelley 1002
<i>RAFAEL PIMENTEL</i>	RAFAEL PIMENTEL	20 Kelley St 1002
<i>SANIA VELAZQUEZ</i>	SANIA VELAZQUEZ	20 KELLEY ST APT 1008
<i>ANTHONY CORNEJO</i>	ANTHONY CORNEJO	20 KELLEY ST 703

✓	<del>Enrique Canales</del>	Enrique CANALES	9
✓	<del>Enrique Canales</del>	Enrique CANALES	9
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			707
			\$20 k 601
✓	Ricelis Peralta	Ricelis PERALTA	602 - 20 Kelly St.
✓	<del>Enrique Canales</del>	Argeky Rosendo Dupuy	20 Kelly St. apt 403
✓	<del>Ana M. Pantojas</del>	Ana M. Pantojas	20 Kelly St. Apt 405
✓	<del>Maria Alvarez</del>	MARIA ALVAREZ	20 KELLY ST. Apt 502
✓	<del>Luis McKeates</del>	LUS McKeates	20 Kelly St H504
✓	<del>Anthony Urbillo</del>	ANTHONY URBILLO	20 Kelly #607
✓	<del>Charles Montez</del>	Charles Montez	20 Kelly #700
✓	<del>Steph R. Graham</del>	Steph R. Graham	76 John St.
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I, Joe PeNA, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Joe PeNA  
Signature  
20 KELLEY ST A P 202  
Address (Street & Number)  
Providence RI 02909  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anna Talbot  
Notary Public

My commission expires 4-4-  
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**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 11 P 12:54

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK</del> ISABEL VARGAS	ISABEL VARGAS	1 Valley apt 209 Providence
<del>OK</del> Julie Boyd	Julie Boyd	1 Roger Williams Blvd Providence
<del>OK</del> Laura O'Leary	Laura O'Leary	1 Valley St Apt 209
<del>OK</del> Ana Marin	Ana Marin	1 Valley St Apt 210 Providence
<del>OK</del> Jose Matos	Jose Matos	1 Valley St Apt 210 Providence
<del>OK</del> Shirley Jemison	Shirley Jemison	1 Valley St Apt 211 Providence
<del>OK</del> Ronda Andrews	Ronda Andrews	1 Valley St #1313 Providence
<del>OK</del> [Signature]	[Signature]	1 Valley St. Apt 208
<del>OK</del> [Signature]	BERNARD TORRES	1 Valley St Apt 208 Providence
<del>OK</del> [Signature]	Dominic Santana	10 Bode Ave Providence RI
<del>OK</del> David Hunt	DAVID HUNT	1 Valley St. Prov. RI 02909
<del>OK</del> Eufemia Montoya	EUFEMIA MONTAYA	1 Valley St Providence RI
<del>OK</del> [Signature]	JOHN C DYMER	1 Valley St Providence RI 02909 #5022
<del>NO</del> Luz Maria Gliron	LUZ MARIA GIRON	1 Valley St Providence 02909
<del>NO</del> [Signature]	[Signature]	1 Valley St Apt #602
<del>NO</del> [Signature]	[Signature]	1 Valley St Providence 302
<del>NO</del> [Signature]	[Signature]	1 Valley St Providence 702
<del>NO</del> Yomary Linas	YOMARY LINAS	1 Valley St 804 Providence
<del>NO</del> Harold Boyes	HAROLD BOYES	1 Valley St 807 Providence
<del>NO</del> [Signature]	[Signature]	1 Valley St 955 Providence
<del>NO</del> [Signature]	[Signature]	1 Valley St #114 Providence
<del>NO</del> [Signature]	[Signature]	1 Valley St Apt 1007 Providence
<del>NO</del> [Signature]	[Signature]	1 Valley St Providence RI 02909
<del>NO</del> [Signature]	[Signature]	1 Valley St Providence
<del>NO</del> Sarah Rosado	SARAH ROSADO	1 Valley St 1010 Providence
<del>NO</del> Manuel Muraya	Manuel Muraya	21 MARVIN ST e-25

<del>30.</del>	<del>Erin Ferrary</del>	<del>Valley Street Providence RI</del>	1013
<del>31.</del>	<del>Pablo Ouedo</del>	<del>Valley Providence</del>	02909-10:11
<del>32.</del>	<del>FLORA LAND</del>	<del>1 VALLEY 1106 #</del>	
<del>33.</del>	<del>WALTER</del>	<del>12 WILSON ST</del>	RD 2
<del>34.</del>	<del>DENNIS TENNETT</del>	<del>1 VALLEY ST</del>	PROV 02909
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I, Jan Georgiana, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jan Georgiana  
Signature  
70 George St. 406  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

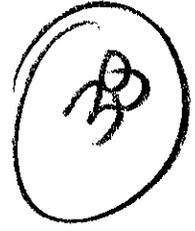
Subscribed to me this 10 day of April, A.D. 20 14

Joseph DeFranco  
Notary Public  
Commission expires 10/19/16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 1 P 12:54  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Thomas Servano</del>	<del>TOMAS SERANO</del>	<del>250 Prairie Ave Apt. 427</del>
<del>Roguel Genard</del>	<del>ROGUEL GENARD</del>	<del>50 PRAIRIE AVE APT 323</del>
<del>Riley Pope</del>	<del>Riley Pope</del>	<del>50 Prairie Ave Apt. 324</del>
<del>Emma Ortiz</del>	<del>EMMA ORTIZ</del>	<del>165 Peace ST apt 11</del>
<del>Joel Martinez</del>	<del>Joel Martinez</del>	<del>495 Potters Ave TEL</del>
<del>Imahm Cole</del>	<del>Imahm Cole</del>	<del>99 Prairie Ave Apt 11</del>
<del>Federico Pal</del>	<del>FEDERICO PAL</del>	<del>PRAIRIE AVE 211</del>
<del>Rafael Polanco</del>	<del>RAFAEL POLANCO</del>	<del>50 Prairie Ave Apt. 117</del>
<del>Jennifer Santos</del>	<del>Jennifer Santos</del>	<del>15 Thackeray St Providence RI</del>
<del>Clara Alvarez</del>	<del>Clara Alvarez</del>	<del>15 Thackeray St Providence RI 02907</del>
<del>MARGARETH AUGUSTIN</del>	<del>Margareth Augustin</del>	<del>482 Branch Ave #1106 04807</del>
<del>RISA ROSSO</del>	<del>RISA ROSSO</del>	<del>27 Marion Ave Cranston RI 02904</del>
<del>Chamaire Hawey</del>	<del>Chamaire Hawey</del>	<del>27 Sackett Street #3 Providence RI 02907</del>
<del>LORI WRIGHT</del>	<del>LORI WRIGHT</del>	<del>270 Public St Providence RI 02905</del>
<del>SUSYX PLOUZ</del>	<del>SUSYX PLOUZ</del>	<del>50 CACTUS ST PROVIDENCE RI 02905</del>
<del>Laura Guzman</del>	<del>Laura Guzman</del>	<del>290 Dexter St Providence RI 02905</del>
<del>Edwin Amos</del>	<del>Edwin Amos</del>	<del>233 BELFLEET ST PROVIDENCE RI 02905</del>
<del>MARIO OLIVEIRA</del>	<del>MARIO OLIVEIRA</del>	<del>40 Leander St Apt. 311</del>
<del>MAUREEN McEVERN</del>	<del>MAUREEN McEVERN</del>	<del>40 LEANDER ST APT 311</del>
<del>Sonia Claudio</del>	<del>Sonia Claudio</del>	<del>40 Leander St #319</del>
<del>Marial Colon</del>	<del>Marial Colon</del>	<del>40 Leander St #316</del>
<del>Ismael Ocasio</del>	<del>Ismael Ocasio</del>	<del>40 Leander St #304</del>
<del>Christine Tremblay</del>	<del>Christine Tremblay</del>	<del>40 Leander Apt 311</del>
<del>Joseph Acevedo</del>	<del>Joseph Acevedo</del>	<del>40 LEANDER ST #307</del>
<del>Alyssa Louie</del>	<del>Alyssa Louie</del>	<del>Alfreda Poznyllowicz 40 Leander St. #310</del>
<del>Eileen Ferrara</del>	<del>Eileen Ferrara</del>	<del>40 Leander St #306</del>
<del>Decileria B. Montañez</del>	<del>Decileria B. Montañez</del>	<del>40 Leander St. Apt. 616 Providence RI</del>
<del>Henry K. Barboza</del>	<del>Henry K. Barboza</del>	<del>40 Leander St. Apt. 609 Providence RI</del>
<del>Lydia Jimenez</del>	<del>Lydia Jimenez</del>	<del>40 Leander St 604 Providence RI</del>
<del>FERNANDO MARTINEZ</del>	<del>FERNANDO MARTINEZ</del>	<del>40 Leander St Apt 125 Providence RI</del>

40	Rafael De Leon	Arael De Leon	40 Leander St. #609	
41	Telesa Padilla	Telesa Padilla	40 Leander St #608	
42	Armenian	ARMEN MINAYA	40 Leander St #611	
43	Ann Marie Giroux	Ann Marie Giroux	40 Leander St #514	
44	Isaac Sanchez	Isaac Sanchez	40 Leander St #509	
45	Michael V. H.	MICHAEL V. H.	40 Leander St #509	
46	Fernanda De Andrade	Fernanda De Andrade	Apt 5 21 40 Leander St.	
47	Barbara Casanova	BARBARA CASANOVA	40 Leander St #422 Apt.	
48	Deborah Slaney	Deborah Slaney	40 Leander St	
49	Dawn Marfeg	Dawn MARFEG	40 Leander St #419	Apt 407
50	Josephine Calera	JOSEPHINE CALERA	40 Leander St #418	Apt. 408
51	Bonnie Torres	Bonnie Torres	40 Leander St #417	Apt. 406
52	Maris Rodriguez	Maris Rodriguez	40 Leander St #419	
53	Pura Rodriguez	Pura Rodriguez	40 Leander St #42	
54	Paula McCaffrey	Paula McCaffrey	40 Leander St #412	provid
55	Michelle D. Giron	Michelle D. Giron	40 Leander St #412	
56	Diane M. Lastoviski	DIANE M. LASTOVISKI	40 LEANDER ST #412	
57	Theresa M. Clinton	Theresa M. Clinton	40 Leander St #412	223
58	Marlene Denise Greengard	Marlene Denise Greengard	40 Leander St #02909	214
59	Jessica Magu	JESSICA MAGU	40 Leander St #02909	220
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I, Sophia Gluskin Braun, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Sophia Gluskin Braun  
Signature  
69 Brown St. Box 3137  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

[Signature]  
Notary Public  
Commission expires 10/19/16  
Joseph DeFrancesco

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2011 APR 11 P 12:53

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Luis Rivera</del>	Luis Rivera	243 Smith St Apt 1504
<del>Francisco Kipley</del>	FRANCISCO KIPLEY	243 Smith St Apt 1504
<del>Bernice Jackson</del>	BERNICE JACKSON	243 Smith St Apt 1503
<del>MUPAT BELYEN</del>	MUPAT BELYEN	249 E Main St 1501
<del>Shelby Mack</del>	Shelby Mack	223 Ives St, Apt 3
<del>CIRILO MOREL</del>	CIRILO MOREL	243 Smith 141
<del>Maxcia M. Dista</del>	Maxcia M. Dista	196 Chapin Ave Prov. R.I. 02909 AP 3
<del>GREGORIO YIEM</del>	GREGORIO YIEM	CAD 6 243 Smith 1210
<del>JEREMY A JACKSON</del>	JEREMY A JACKSON	243 Smith St 113
<del>Emilio Pimentel</del>	Emilio Pimentel	243 Smith 1107
<del>Fidel Pimentel</del>	Fidel Pimentel	243 Smith 1107
<del>JUAN HERRERA</del>	JUAN HERRERA	243 Smith 207
<del>SIDARO</del>	SIDARO	3-5 APT 1003
<del>CARLOS CEDENO</del>	CARLOS CEDENO	178 Masser St Prov. R.I.
<del>EVANVALA LIONA</del>	EVANVALA LIONA	243 Smith St Apt 1003 PROU.
<del>FELIPE SANCHEZ AGOSTO</del>	FELIPE SANCHEZ AGOSTO	943 Smith St Apt 1003 PROC
<del>DORALIZKA BATEZ</del>	DORALIZKA BATEZ	243 Smith St Apt 9-05
<del>YANES RODRIGUEZ</del>	YANES RODRIGUEZ	243 Smith St #810
<del>Capidio Sierra</del>	Capidio Sierra	243 Smith St Apt 809
<del>Carmen Castillo</del>	Carmen Castillo	witness
<del>Shelby Mack</del>	Shelby Mack	witness
<del>PLATON VINACCO</del>	PLATON VINACCO	243 Smith St
<del>ROLAND STEVENS</del>	ROLAND STEVENS	243 Smith #801
<del>MARIA TAVAREZ</del>	MARIA TAVAREZ	Craston St. 176.
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I, Shelby Mack, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Shelby Mack  
Signature  
223 Ives Street, Apt 3  
Address (Street & Number)  
Providence, RI  
City or Town

State of Rhode Island  
Providence, So.

Subscribed to me this 10 day of April, A.D. 20 14

Joseph DeFrancesco  
Notary Public  
Commission expires 10/19/16

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 17 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business. WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that: Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK</del> Tyrone Sheppard	Tyrone Sheppard	ONE Cadillac Dr
<del>OK</del> Raphael Gonzalez	RAFAEL GONZALEZ	126 Cadillac Dr,
<del>OK</del> Aurelia Morel	AURELIA MOREL	1 Cadillac Dr. Apt 210.
<del>OK</del> Alttagracia de la Cruz	ALTAGRACIA DE LA CRUZ	1 Cadillac Dr apt 212
<del>OK</del> Elisa Ortega	Elisa Ortega	31 Cadillac Dr. Apt 213.
<del>OK</del> Brian Conway	BRIAN CONWAY	1 CADILLAC DR, APT 218
<del>OK</del> Espartero Camacho	ESPARTEO CAMACHO	1 Cadillac Dr apt 219
<del>OK</del> Rudy Martinez	RUDY MARTINEZ	1 Cadillac Dr. 319
<del>OK</del> Lucila Amante	LUCILA AMANTE	1 Cadillac Dr 315
<del>OK</del> James Roy	JAMES ROY	1 Cadillac Dr 28
<del>OK</del> Mildred Anderson	MILDRED ANDERSON	314
<del>OK</del> Ramona Medina	RAMONA MEDINA	316
<del>OK</del> William Carreira	WILLIAM CARREIRA	313 Cadillac Dr
<del>OK</del> Mercedes Torres	MERCEDÉS TORRES	311 Cadillac Dr
<del>OK</del> Agustín Lizardo	AGUSTÍN LIZARDO	310 Cadillac Dr
<del>OK</del> Ramona Reynoso	RAMONA REYNOSO	#620 Cadillac Dr.
<del>OK</del> Ramona Reynoso	RAMONA REYNOSO	#620 Cadillac Dr.
<del>OK</del> Emilia Cotten	EMILIA COTTEN	211
<del>OK</del> Isidro Encomación	ISIDRO ENCOMACION	615
<del>OK</del> Juliana Hernandez	JULIANA HERNANDEZ	1 Cadillac Dr 217
<del>OK</del> Ana Mesa	ANA MESA	1 Cadillac 519
<del>OK</del> Andrea Diaz	ANDREA DIAZ	1 Cadillac Dr APT 419
<del>OK</del> Vehemich May	VEHEMICH MAY	1 Cadillac Dr
<del>OK</del> Debra Perry	DEBRA PERRY	1 Cadillac Dr APT 515

<del>65</del>	<del>Sarmiento Reyes</del>	CARMEN Reyes	Cadillac Dr #516	
<del>66</del>	<del>Joyce Reyes</del>	Flor Reyes	Cadillac Dr #516	
<del>67</del>	<del>...</del>	<del>...</del>	<del>...</del>	
<del>68</del>	<del>...</del>	JUAN A. WHATIS	1 Cadillac DR 514	
<del>69</del>	<del>...</del>	ANA-F. PENA	1 Cadillac DR 509	
<del>70</del>	<del>...</del>	Angelia Olivares	107 Lexington Ave.	
<del>71</del>	<del>...</del>	Thelma Nunez	95 Congress Ave	3
<del>72</del>	<del>...</del>	MARIN PABON	17 BACOK ST	
<del>73</del>	<del>...</del>	Angelyne Pope	8 Somerset St. #10	
<del>74</del>	<del>...</del>	Jose Fina Ure	1108 Marlborough St	+1
<del>75</del>	<del>...</del>	ALBERTO BENITEZ	79 HAMLIN ST APT 1	
<del>76</del>	<del>...</del>	SSCA 261 Massachusetts Ave.		
<del>77</del>	<del>...</del>	SSCA JOAO Dafonseca	261 Massachusetts Ave	
<del>78</del>	<del>...</del>	Guilhermina Arias	342 Veazie St. 1	
<del>79</del>	<del>...</del>	Antonio Oliveira	40-Vicki Street	
<del>80</del>	<del>...</del>	Silencia Bellia	101 Mitchell St.	
<del>81</del>	<del>...</del>	Carlos Mascoso	107 Paul St Prov. R.I.	APT 1
<del>82</del>	<del>...</del>	MARIA SANTOS	56 Malvern St. 1	
<del>83</del>	<del>...</del>	Rado de la Santa	98 PETERS AVE 1	
<del>84</del>	<del>...</del>	Albert Lufando	172 Reservoir Ave Apt-2	
<del>85</del>	<del>...</del>	MARIA PABON	19 BACOK ST.	APT
<del>86</del>	<del>...</del>	JOSEPH SEMEDO	215 Elmwood Ave	APT
<del>87</del>	<del>...</del>	Ed Espinal	191 Hinwood Ave Prov.	
<del>88</del>	<del>...</del>	EAOS Smith	255 Orms Street APT 3	
<del>89</del>	<del>...</del>	Hilda m. Hill	369 Montgomery Ave PRV	APT 7L
<del>90</del>	<del>...</del>	WM DAMICO	369 Montgomery APT	
<del>91</del>	<del>...</del>	Barbara Ferguson	369 Montgomery 7E	
<del>92</del>	<del>...</del>	ELIGIA TRAVESSA	369 MONTGOMERY AVE APT 8	B
<del>93</del>	<del>...</del>	Eileen MACARTHUR	369 Montgomery Ave	
<del>94</del>	<del>...</del>	BALDEMIR DE JESUS	369 MONTGOMERY Ave	80
<del>95</del>	<del>...</del>	LINDA WHITTEMORE	369 Montgomery 8M	
<del>96</del>	<del>...</del>	SADIA A. Colfado	369 Montgomery X. AV.	
<del>97</del>	<del>...</del>	JESUS GONZALEZ	369 MONTGOMERY	9B
<del>98</del>	<del>...</del>	ANRES LOPEZ	369 MONTGOMERY AV	
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I, Carmen Castillo of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Carmen Castillo  
Signature  
381 Potters Ave  
Address (Street & Number)  
PROV. RI 02902  
City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10<sup>th</sup> day of April

Joseph A. Diaz, A.D. 2018  
Notary Public  
Comm Exp 1/1/19

copy #24

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**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

APR 11 P 12:52  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>[Signature]</i>	Steve Nightingale	63 Sawyer St
<i>[Signature]</i>	Gail L. Nightingale	63 Sawyer St
<i>[Signature]</i>	Anais Hernandez	58 THURSTON ST.
<i>[Signature]</i>	Erickson Garcia	41 Dixon St
<i>[Signature]</i>	Julio Alcantara	87 Dixon St
<i>[Signature]</i>	Elkalyta Minya	90 Dixon St
<i>[Signature]</i>	LORETHA SINGLETON	83 Doyle Ave #214
<i>[Signature]</i>	PPRESLER POSY	83 Doyle Ave #307
<i>[Signature]</i>	MIRIAM MORALES	83 Doyle Ave #314
<i>[Signature]</i>	BARBARA KITCHINGHAM	83 Doyle Ave #317
<i>[Signature]</i>	Meredith Lopez	83 Doyle Ave #402
<i>[Signature]</i>	Luzmyra Ralisa	83 Doyle Ave apt. 404
<i>[Signature]</i>	Genervie Williams	83 Doyle Ave Apt 407
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I, Trevor Culhane, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Trevor Culhane  
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Signature  
69 Brown Street Box 4619  
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Address (Street & Number)  
Providence  
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City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

Joseph DeFrancesco  
-----  
Notary Public  
Commission expires 10/19/16

# 4278

**City of Providence**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
2016 APR 11 P 12:32

Providing as follows:

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Candida Caines</del>	Candida Caines	100 Broad St. apt 902
<del>Regilda Hidalgo</del>	Regilda Hidalgo	100 Broad St 905
<del>Felix Duran</del>	Felix Duran	100 BROAD ST. APT., PROVIDENCE, RI 0292
<del>SAADY ROS</del>	Saadys	→ 907
<del>Sergio</del>	SAADY ROS	100 Broad St Apt 911
<del>Angela Oros</del>	Sergio A Orosio	100 Broad St. Apt 913
<del>Paula</del>	Kouyut Huu	100 Broad St. Apt. 916
<del>Choung</del>	CARMELLO CASTRO	100 BROAD ST APT 917
	CHHOEU TINH	100 Broad St # 1006
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I, MANUEL GODENA, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Manuel Godena  
Signature  
19 GROVE STREET  
Address (Street & Number)  
PROVIDENCE RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

Joseph DeFrancesco  
Notary Public  
Commission expires 10/19/16

#4278

**City of Providence**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**PETITION TO THE CITY COUNCIL**

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

**"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"**

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 P 12:50

**Providing as follows:**

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

**(a) Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

**(b) Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.



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I, Courney J. Smith, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Courney J. Smith  
Signature  
40 Princeton Ave  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 12 day of April, A.D. 20 14

J. DeFrancisco  
Notary Public  
Commission expires 10/19/16

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City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 11 12:50

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

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management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

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(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

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(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

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The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

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(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Vicente Vinos</del>	<del>VICENTE VINOS</del>	<del>301 Cranston St 320</del>
<del>Rolando Mendez</del>	<del>ROLANDO MENDEZ</del>	<del>301 Cranston St 320</del>
<del>Angela Silfa</del>	<del>ANGELA SILFA</del>	<del>301 Cranston St 324</del>
<del>Rita Mendez</del>	<del>PILO MENDIZ</del>	<del>301 Cranston St 318</del>
<del>Rosa Medina</del>	<del>ROSA MEDINA</del>	<del>301 34 Miller Ave Providence</del>
<del>Adeline Guzman</del>	<del>ADELINA GUZMAN</del>	<del>63 Hamlin St Providence 02907</del>
<del>Julian Espinal</del>	<del>JULIAN ESPINAL</del>	<del>301 Cranston St Providence 02907 318</del>
<del>Bacilisa Espinal</del>	<del>BACILISA ESPINAL</del>	<del>301 Cranston St Providence 02907 312</del>
<del>Miguelina Espinal</del>	<del>MIGUELINA ESPINAL</del>	<del>301 Cranston St Providence 02907 320</del>
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I, Courtney Smith, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Courtney Smith  
Signature  
40 Princeton Ave Apt 2  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 11<sup>th</sup> day of April, A.D. 20 14

Rosamond June Talbot  
Notary Public

My commission expires 4-4-16

# 4278

**City of Providence**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

18

**PETITION TO THE CITY COUNCIL**

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2018 APR 11 P 12:50

CITY OF PROVIDENCE  
BOARD OF CHAMBERS  
& REGISTRATION

**Providing as follows:**

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

18

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
OK Isabel Batista	Isabel Batista	675 Elmwood 117
OK Luz Pina	Luz Pina	675 Elmwood 118
OK Odette de Garay	Odette Garay	675 Elmwood 121
OK Maria Negron	MARIA Negron	675 Elmwood AVE 220
OK Sonia Morales	SONIA MORALES	675 Elmwood 220
OK Emperatriz de Jesus	Emperatriz de Jesus	675 Elmwood 213
OK Angela Pagan	ANGELA PAGAN	675 Elmwood 214
OK Elizabeth Ortiz	Elizabeth Ortiz	675 Elmwood
OK de la Cruz Melroiana	Melroiana de la Cruz	675 Elmwood 217
OK Sarah Chen	Sarah Chen	675 Elmwood 221
OK Francisca de Jesus	Francisca de Jesus	675 Elmwood 223
OK Roberta M. Thayer	Roberta M Thayer	675 Elmwood Ave 223
OK Rebecca O'Rourke	Rebecca O'Rourke	675 Elmwood Ave 223
OK Domingo M. Cleofas	Domingo M. Cleofas	675 Elmwood Ave. 308
OK Luz L. Cleofas	Luz L. Cleofas	675 Elmwood Ave. 308
OK Evangelista Pichard	EVANGELISTA PICHARD	675 Elmwood Ave 309
OK Irma Piguave	IRMA PIGUAVE	675 Elmwood AVE 312
OK Saphen Phou	Saphen Phou	12 Kepler St Prov.
OK Samy Phou	Samy Phou	675 Elmwood 02907 Ave. Prov. 02907314
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I, Devin Ashley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
Signature  
22 Penn Street  
Address (Street & Number)  
Providence RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

[Signature] Joseph DeFrancesco  
Notary Public  
Commission expires 10/19/16

#4278

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**City of Providence**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**PETITION TO THE CITY COUNCIL**

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

**"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"**

**Providing as follows:**

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.25 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Yolanda O Benitez</i>	Yolanda O. Benitez	675 Elmwood Ave Apt 120 Providence RI 02907
<i>Jesse Hedbeck</i>	JESSE HEDBECK	19 LUTHERLAND PL PROV RI 02909
<i>Emma Bardagjly</i>	Emma Bardagjly	19 Lutherland Pl. "
<i>Michael Arayo</i>	Michael Arayo	17 Gibbon Ct. Prov RI, 02909
<i>Kristina Brown</i>	KRISTINA BROWN	11 GIBBON CT PROV, 02909
<i>Eustinia Beyos</i>	Eustinia Beyos	23 Maple St West - 02908
<i>Nancy Cabuy</i>	Nancy Cabuy	126 Willow St. Prov. RI 02909
<i>Melvin P. Cruz</i>	Melvin P. Cruz	122 Willow St Providence RI 02909
<i>Mildred Vargas</i>	Mildred Vargas	159 Hudson St Providence 02909
<i>Travis Batista</i>	Travis Batista	21 Elizabeth Drive N. Providence
<i>Brenda Parker</i>	Brenda Parker	315 Carter Ave Pawtucket.
<i>Bryan Pinell</i>	Bryan Pinell	106 Chapin Ave Prov.
<i>Rebecca Baruzzi</i>	Rebecca Baruzzi	68 Hudson St Prov.
<i>Bryan Dufresne</i>	BRYAN DUFRESNE	49 Willow St 02909
<i>Rachel Miller</i>	Rachel M Miller	74 Willow St. 02909
<i>Cheryl Greene</i>	Cheryl GREENE	64 Willow St. 02909
<i>Rachel Newman Greene</i>	Rachel Newman Greene	64 Willow St 02909
<i>Elise Jakobson</i>	Elise Jakobson	58 Willow St Prov 02909
<i>Rebecca Kessler</i>	Rebecca Kessler	50 Willow St Prov 02909
<i>JOHN MORRIS</i>	JOHN MORRIS	32 Willow St Prov RI 02909
<i>Kari Lang</i>	Kari Lang	32 Willow St Prov 02909
<i>DRB ROSENBERG</i>	DRB ROSENBERG	20 BIANCO COURT, PROV 02909
<i>Neal Rosenberg</i>	Neal Rosenberg	20 Dinec Ct 02909
<i>JACK RYAN</i>	JACK RYAN	22 BIANCO CT 02909
<i>Ann Wang</i>	Ann Wang	22 Bianco Ct. 02909
<i>LUCRECIA RIZ</i>	LUCRECIA RIZ	31 Willow St Providence
<i>Lillian Velazquez</i>	Lillian Velazquez	53 Willow St Prov 02909
<i>JOHN TARAPOKELI</i>	JOHN TARAPOKELI	71 HAMORE ST. PROV 02909
<i>LUKE KRAFFT</i>	LUKE KRAFFT	18 GIBBON CT 02909
<i>JUSTIN KELLEY</i>	JUSTIN KELLEY	74 Willow St 02909
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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Justin Kelley  
Signature  
Willow St  
Address (Street & Number)  
Providence RI 02909  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

Joseph DeFrancesco  
Notary Public  
Commission expires 10/19/16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

6

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

2014 APR 15 5 52 PM  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Lucille Williams</del>	<del>Lucille Williams</del>	<del>557 Veazie St #311</del>
<del>Michael Dantico</del>	<del>Michael A. Dantico</del>	<del>557 Veazie St #425</del>
<del>John C. Jamiller</del>	<del>John C. Jamiller</del>	<del>557 Veazie St #309</del>
<del>Rosa M. Rivera</del>	<del>Rosa Rivera</del>	<del>100 Atwells #1209</del>
<del>Maria Rivera</del>	<del>Maria Rivera</del>	<del>100 Atwells #1209</del>
<del>Jose R. Muriel</del>	<del>JOSE R. MURIEL</del>	<del>100 ATWELLS #1205</del>
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I, James Day, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Am Day  
Signature  
38 Monmouth Street Apt #6  
Address (Street & Number)  
Providence RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
Notary Public  
My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

13

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 11 PM 12:51  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

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**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK Heriliza Gonzalez</del>	Heriliza Gonzalez	47 Marlborough Ave 3 FL
<del>OK Isabel Gonzalez</del>	Isabel Gonzalez	47 Marlborough Ave 3 FL
<del>OK Pedro Suarez Jr</del>	Pedro Suarez Jr	49 Marlborough Ave
<del>OK Pedro Suarez</del>	Pedro Suarez	47 MARLBOROUGH AV.
<del>OK Tasia Shaw</del>	Tasia Shaw	49 Marlborough Ave
<del>OK Aleta Clark</del>	Aleta Clark	12 Marlboro St
<del>OK Diknia Makbudi</del>	Diknia Makbudi	34 Marlborough Ave
<del>OK Mae Beatty</del>	MAE BEATTY	12 Glenham St
<del>OK Antonia Norman</del>	ANTONIA NORMAN	22 Glenham St
<del>OK James Norman</del>	JAMES NORMAN	22 Glenham St
<del>OK Alicia Garcia</del>	Alicia Garcia	36 Glenham St
<del>OK Jose Martinez</del>	JOSE MARTINEZ	36 GLENHAM ST.
<del>OK Simon Gonzalez</del>	SIMON GONZALEZ	13 Whelan Rd
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I, Gracelda Cruz, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Gracelda Cruz  
 Signature  
49 W. Water Street Providence R.I. 02907  
 Address (Street & Number)  
 City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

  
 Notary Public  
 exp 9-24-2017

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

5

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2011 APR 11 12:51

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.  
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

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management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

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**(c) Minimum Wage**

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The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK</del> Violet E Field	Violet E FIELD	22 CROMWELL ST PROVRZ
<del>OK</del> Machelo McAlpine	Machelo McAlpine	54 CROMWELL ST Apt 2
<del>NO</del> Khadijah Swan	Khadijah Swan	54 CROMWELL ST Apt 2
<del>NO</del> <del>Julian A. Sisco</del>	<del>Julian A. Sisco</del>	<del>68 CROMWELL ST Apt 1 provr</del>
<del>OK</del> Larry Tunstall	LARRY TUNSTALL	72 CROMWELL ST
<del>OK</del> Willie McBride	WILLIE MCBRIDE	72 CROMWELL ST
<del>NO</del> <del>Esteban Cabrera</del>	<del>Esteban Cabrera</del>	<del>62 CROMWELL ST</del>
<del>OK</del> Maritza Quero	MARITZA QUERO	11 WOODMAN ST
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I, Larry Tunstall of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Larry Tunstall  
Signature  
72 Cromwell St  
Address (Street & Number)  
Providence RI  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL

, A.D. 2014

  
Notary Public exp 9/24/2017

#4278

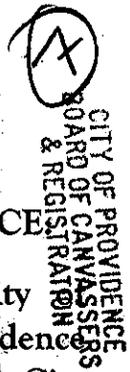
**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:



**"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"**

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.  
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.  
NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:  
Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

**(a) Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

**(b) Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Andrew Koester</i>	Andrew Koester	73 Beacon Ave. #2 Prov. 02903
<i>Thomas F. Malloy</i>	Thomas F. Malloy	33 Boundary Ave. Prov. 02909
<i>Anthony Cardinal</i>	Anthony Cardinal	166 Grand View St. 02906
<i>Nicholas Pugliese</i>	Nicholas Pugliese	22
<i>Maximo Secada</i>	MAXIMO SECADA	7 Sykes Pl. Prov.
<i>Ariel Rivera</i>	Ariel Rivera	221 10rns st 02908
<i>Nate Anthony</i>	NATE Anthony	17 W 11th St. Prov. 02908
<i>Arturo Santos</i>	Arturo Santos	197 Salina St. Providence 02908
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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Justin Kelley  
Signature  
74 Willow St  
Address (Street & Number)  
Providence RI 02909  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

[Signature]  
Notary Public exp 9/24/2017

# 4278



**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2014 APR 1 12:51  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

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**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Elliot Barkins</del>	ELLIOTT BARKINS	100 ATWELLS AVE
<del>Robert Weber</del>	ROBERT WEBER	100 ATWELLS AVE
<del>May L. Neil</del>	MAY L. NEIL	100 ATWELLS AVE
<del>Raymond E. Spino</del>	RAYMOND E. SPINO	100 ATWELLS AVE #212
<del>Raymond E. Spino</del>	RAYMOND E. SPINO	100 ATWELLS AVE #306
<del>Raymond E. Spino</del>	RAYMOND E. SPINO	100 ATWELLS AVE #40
<del>Margaret Kehyjaiah</del>	MARGARET H. KEHYJIAH	100 ATWELLS AVE #411
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I, Alisa Young, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
Signature  
90 Fellmore St apt J  
Address (Street & Number)  
PROV, RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 20 14

Rosamond Anna Talbot  
Notary Public

My commission expires  
4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

2014 APR 11 10:51  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION

**"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"**

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

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The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

**(b) Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

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*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>[Signature]</i>	Akinshola Akinlaga	81 Hamlin Street
<del><i>[Signature]</i></del>	<del>75 Hamlin St</del>	<del>75 Hamlin St</del>
<del><i>[Signature]</i></del>	<del>MARIA RODRIGUEZ</del>	<del>75 Hamlin St</del>
<del><i>[Signature]</i></del>	<del>Alexandra morales</del>	<del>95 Hamlin St.</del>
<del><i>[Signature]</i></del>	Jaime Pajuro	95 Hamlin St. Prov
<del><i>[Signature]</i></del>	Lance Perry	96 Hamlin St.
<del><i>[Signature]</i></del>	Josephine O SLATER	70 SAWYER ST. PROV. RI 02907
<del><i>[Signature]</i></del>	CHRISTOPHER CHIGWOTE	53 PEARCE ST PROVIDENCE RI 02907
<del><i>[Signature]</i></del>	Eva Owsen	64 Thurston R.I 02907
<del><i>[Signature]</i></del>	James MORAN	54 BISSELL ST
<del><i>[Signature]</i></del>	Richard A 2019	98 TRASK PROV RI 02905
<del><i>[Signature]</i></del>	Kevin SILVESTRI	82 DIXON ST 7200. RI
<del><i>[Signature]</i></del>	Thomas K. Kannel	102 Dixon ST #2
<del><i>[Signature]</i></del>	Kaul Forti	1207 Elmwood Ave
<del><i>[Signature]</i></del>	ANGELA FORTI	1207 Elmwood ave.
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I, Evon McLaughlin of the City of Providence, under oath, make affidavit and say that the signers of the within ~~initiative~~ petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
 Signature  
190 Kinnick St #2  
 Address (Street & Number)  
Providence  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
 Notary Public

My commission expires  
4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

13

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 P 12:51

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.  
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
Jane Richendollar	JANE Richendollar	20 RANDALL ST. Apt 6F
Lisa Romano	LISA L. Romano	20 Randall St Apt 6F
Bradford D. Metts	BRADFORD D. METTS	20 RANDALL ST. APT 6S
Charles Maynard	Charles Maynard	20 Randall St 6T
Sean Chapman	Sean Chapman	20 Randall st 5A
Lillian J. Jenner	LILLIAN J. JENNER	20 RANDALL ST 5D
Barbara Smith	BARBARA SMITH	20 RANDALL ST 5K
Wayne Chalifoux	WAYNE CHALIFOUX	20 RANDALL ST 5Q
ZARLESKY	ZARLESKY	20 RANDALL ST
Maffie Hill	MAFFIE HILL	20 RANDALL ST 2A
Rowena Smith	Rowena Smith	20 Randall St.
Miguel Villanueva	MIGUEL VILLANUEVA	20 RANDALL ST PROV
John A. Iselle	John A. Iselle	20 RANDALL ST. PROV
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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Justin Kelley

Justin Kelley  
Signature  
70 Willow St  
Address (Street & Number)  
Providence RI 02909  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of APRIL

, A.D. 20 14

[Signature]  
Notary Public exp 9/24/2017

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Oliver Parra</del>	<del>ONELMA PARRA</del>	<del>359 Carpenter St Apt 415</del>
<del>Oliver Parra</del>	<del>Tiandra Parra</del>	<del>359 Carpenter St Apt 414</del>
<del>Rosa Peralta</del>	<del>Rosa Peralta</del>	<del>359 Carpenter St Apt 210</del>
<del>Juan Campos</del>	<del>Juan Campos</del>	<del>359 Carpenter St Apt 409</del>
<del>Dora La Arena</del>	<del>DORA LA ARENA</del>	<del>359 Carpenter St</del>
<del>Juan Badino</del>	<del>JUAN BADINO</del>	<del>359 Carpenter St # 115</del>
<del>Carmen Vega</del>	<del>Carmen Vega</del>	<del>359 Carpenter St # 114</del>
<del>Victor P. Matos</del>	<del>VICTOR P. MATOS</del>	<del>359 Carpenter St # 22</del>
<del>Olivia S. Oliva</del>	<del>OLIVIA S. OLIVA</del>	<del>359 Carpenter St. apt. 111</del>
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I, Conroy Smith of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Conroy Smith  
 Signature  
140 Kingston Ave Apt 1  
 Address (Street & Number)  
Providence  
 City or Town

State of Rhode Island  
 Sec. Providence  
 Subscribed to me this 1<sup>st</sup> day of April, A.D. 2014

Notary Public  
My Commission Expires 4-4-16  
Raymond Thomas Wilson

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

3

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
APR 11 P 12:51

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portorage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK [Signature]</del>	<del>TAOFIKI-OMITOGUN</del>	<del>160 Benedict Street #604</del>
<del>OK [Signature]</del>	<del>Beraldine McGill</del>	<del>160 Benedict Street 509</del>
OK Lieng Tan	Lieng Tan	160 Benedict St 418
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I, Mirjam A Parada of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Mirjam A Parada  
Signature  
653 Stanton Ave 2nd fl.  
Address (Street & Number)  
PROV. R.I. 02909  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anna Talbot  
Notary Public  
My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

2011 APR 11 P 12:51

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

Handwritten initials "SM" in a circle.

(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

2014 APR 11 P 12:51  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, City, as it appears on the voting list)
<i>Mary Ferraro</i>	MARY FERRARO	104 Stamford Ave
<i>Jeffrey Crum</i>	JEFFREY CRUM	102 Stamford Ave
<i>Victor Mendez</i>	VICTOR MENDEZ	35 Bissell St #9
<i>Julian Mendoza</i>	JULIAN MENDOZA	25 ADELAIDE AVE 3FL
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I, Charleen Castillo, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Charleen Castillo

Charleen Castillo  
Signature  
351 POTTERS AVE  
Address (Street & Number) PROV. RI 02907  
City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10<sup>th</sup> day of April

\_\_\_\_\_, A.D. 2014  
For the A. Diaz  
Notary Public  
com exp 7/27/14

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

7

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF APPOINTERS  
& REGISTRATION  
2004 APR 1 9 12:51 PM

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

15

(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

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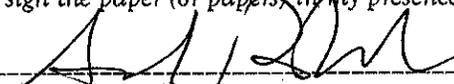
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>[Signature]</i>	DONALD TROUS	20 DEXTER ST
<i>[Signature]</i>	MARY LEE PARTINGTON	14 DEXTER STREET
<i>[Signature]</i>	MARGARET CARLTON	54 DEXTER ST 02909
<i>[Signature]</i>	WONDER SEGAMA	599 Plainfield St.
<i>[Signature]</i>	LISSETTE SEGAMA	599 Plainfield St.
<i>[Signature]</i>	Atee Khang	64 Dexter St. Apt 1
<i>[Signature]</i>	Caitlin Tawey	5 Jencks street, 02906
<i>[Signature]</i>	JOHN SCITHO	24 GROTON ST.
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I, ADRIAN Q. RANDALL, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
Signature  
131 MOORE ST  
Address (Street & Number)  
PROVIDENCE, RI 02907  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
Notary Public

My commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

5

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
JAN 11 11 P 1251

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Stephanie Colbert</del>	<del>Stephanie Colbert</del>	<del>Valley St # 906</del>
<del>Stephanie P. Col</del>	<del>and G. Col</del>	<del>1 Valley St # 700</del>
<del>Beverly A. McNamee</del>	<del>BEVERLY A. MCNAMEE</del>	<del>4 VALELEY ST 30.3</del>
<del>Christopher W. Prosser</del>	<del>CHRISTOPHER W. PROSSER</del>	<del>1 VALELEY ST # 414</del>
<del>Peter D. Delavante</del>	<del>PETER D. DELAVANTE</del>	<del>1 VALELEY ST # 407</del>
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I, Shelton Long, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Shelton A Long  
Signature  
17 Emmet Street Fl#3  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
Notary Public  
My commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

16

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 11 PM 5:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

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**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
	Gilsa Valenzuela	62 Superior St
	Melanie Chalas	13 Moore St
	Mario Mancho	24 Pleasant St
	ANGELO JUNCO	598 Union Av Prov
	TANYA ORTIZ	142 Moore School St
	RODIS RODRIGUEZ	34 Hollis St Prov. R.I.
	STAN DICKENSON	7 Leo Ave Prov.
	DAVID ROBIO	22 KAWATIM AVE.
	Joseph Terriolo	114 Bush Hill Rd
	JOHN J BARRY	12 Primrose St Prov.
	HAROLD ATKINSON	115 Redcliffe Ave
	Sean FitzGerald	5 Lovday St Prov. R.I. 02908
	Anthony Heywood	27 Jewett St Prov. R.I. 02908
	Crystal J. Holt	174 Canton St. PROV. R.I. 02908
	Jennifer Emidy	297 Washington Ave 02905
	Pedro Richard	20 Tobayhanna St
	Ricardo Patino	420 Airways Ave
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I, Ana B. Qayada, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Ana B. Qayada  
Signature  
92 Crescent St  
Address (Street & Number)  
Providence, RI 02907  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 20 14

Brian D. Prindle  
Notary Public

16/06/17

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

(2)

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
APR 11 PM 5:22

Providing as follows:

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Signature</del>	Suzette Rivera RECOBION	207 Cahiv St. apt 207 <del>310 Cahiv St.</del> 310 Cahiv St.
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I, F E PENA, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

F E PENA  
Signature  
20 KELLY ST APT 202 PV  
Address (Street & Number)  
Providence RI-02909  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Ann Tilbor  
Notary Public

My commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

16

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

2014 APR 11 P 12: 51  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

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management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

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*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

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(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

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(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

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(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Evelyn Martel Martel</del>	<del>Evelyn Martel Martel</del>	
Juan Arias	Juana Arias	243 Smith St. Apt. 214
Charles Burdick	Charles Burdick	243 Smith St. Apt 305
Carlos Diaz	Carlos Diaz	243 Smith St. Apt. 312
Cristina Arango	Cristina Arango	243 Smith St. Apt. 403
Ramona Flores	Ramona Flores	243 Smith St. Apt. 406
Melida Amarante	Melida Amarante	243 Smith St. #409
Royce Greene	Royce Greene	243 Smith St #504
Viktoria Matik	Viktoria Matik	243 Smith St. Providence Apt. 604
Lourdes Santana	LOURDES SANTANA	243 Smith St Apt 608
Neura Ramirez	NEURA RAMIRES	243 Smith St Apt 612
Jesse C. Strecker	Jesse C. strecker	311 Amherst St. #2
Josephine Shagwer	JOSEPHINE SHAGWER	76 Harrison St. #2
Malchus N. Mills	Malchus N. Mills	88 Whitehall Street
Christopher V. Rotondo	Christopher V. Rotondo	117 8th Street
Wayne M. Woods	WAYNE M. Woods	124 Moore St. APT.#3
Joseph P. Buchanan	Joseph P. BUCHANAN	94 BOB MARY ST
Baline Burgess	Baline BURGESS	480 Publice ST
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I, Jesse Strecker, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jesse Strecker  
Signature  
311 Amberst St. #2,  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 20 14

Rosamund Anna Tolbot  
Notary Public  
My commission expires 4-4-16

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

13

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION 2014 APR 11 P 12:54

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

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Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

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management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

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*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

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(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

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**(e) Effective Dates**

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(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
OK Gladys E. Thomas	Gladys E. Thomas	11 Alexander St
OK Stephen Henley	Stephen Henley	22 Alexander St, Prov.
OK Mercedes Galvan	FILIPIDA GALVAN	47 Alexander St Prov
OK Noelio A. Frias	NOELIO A. FRIAS	42 Alexander St Prov
OK Anaura Garcia	Anaura Garcia	43 Burrows St
OK Reynaldo Ombajin	Reynaldo Ombajin	31 Burrows St.
OK David Marks	DAVID MARKS	16 Morgan St. Prov.
OK Barbara J. Marks	BARBARA J. MARKS	16 Morgan St. Prov.
OK Ana Cruz	ANA CRUZ	119 Roger Williams Ave Prov.
OK David Rodriguez	David Rodriguez	167 Roger Williams Ave.
OK Ysalia Rodriguez	YSALIA RODRIGUEZ	167 Roger Williams Ave
OK Shirley Cabana	SHIRLEY CABANA	150 Roger Williams Ave
NO		
OK Lilia Cabana	Lilia Cabana	11 / 150 Roger Williams Ave
OK Miguel A. Capellan	MIGUEL A. CAPELLAN	165 Weidall St
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I, Evan McLaughlin, of the City of Providence, under oath, make affidavit and say that the signers of the within ~~initiative~~ petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
Signature  
190 Knoll St #2  
Address (Street & Number)  
Providence RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anna Talbot  
Notary Public  
My commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

14

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
JAN 11 P 1251

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portrage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

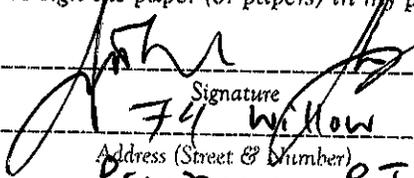
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Elizabeth Martno</del>	<del>ELIZABETH MARTNO</del>	<del>41 Hammond St</del>
<del>Nancy Worthen</del>	<del>Nancy Worthen</del>	<del>51 Hammond St</del>
<del>Paul Carwell</del>	<del>Paul Carwell</del>	<del>57 Hammond St.</del>
<del>Sandra Blue-Sellers</del>	<del>Sandra Blue-Sellers</del>	<del>63 Hammond St.</del>
<del>James Nellis</del>	<del>James Nellis</del>	<del>35 Hammond St.</del>
<del>Hannah Abelow</del>	<del>HANNAH ABLOW</del>	<del>97 HARRISON ST</del>
<del>Liam Gray</del>	<del>LIAM GRAY</del>	<del>97 HARRISON ST</del>
<del>Leslie Argueta</del>	<del>Leslie Argueta</del>	<del>89 Harrison St</del>
<del>Faith Bartuan</del>	<del>FAITH BARTUAN</del>	<del>89 Harrison St</del>
<del>Jules Opton-Himmel</del>	<del>JULES OPTON-HIMMEL</del>	<del>73 HARRISON ST</del>
<del>Joanna Carey</del>	<del>Joanna Carey</del>	<del>73 HARRISON ST</del>
<del>Barbra Reull</del>	<del>Barbra Reull</del>	<del>25 Hammond St.</del>
<del>Judy Burak</del>	<del>Judy Burak</del>	<del>74 Dexter St.</del>
<del>Cortney Harris-Ferguson</del>	<del>Cortney Harris-Ferguson</del>	<del>96 Dexter St.</del>
<del>Jean Tebler</del>	<del>JEAN Tebler</del>	<del>102 Dexter St</del>
<del>Rangina N Bowle</del>	<del>Rangina N Bowle</del>	<del>124 Bridgman St</del>
<del>Shawn O'Leary</del>	<del>Shawn O'Leary</del>	<del>116 Bridgman St, Providence</del>
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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
 Signature  
74 Willow St  
 Address (Street & Number)  
Providence RI 02909  
 City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL, A.D. 2014

  
 Notary Public  
exp 9-24-2017

# 4078

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

4

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

We, the undersigned qualified electors registered to vote in the Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2017 APR 11 PM 12:53

**"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"**

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees’ or employers’ right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee’s reasonable attorney’s fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>James Casey</del>	James Casey	on the east - 9 Park St Apt 816
<del>Estela Gomez</del>	ESTELA GÓMEZ	9 Park St Apt 96
<del>Maria Torres</del>	Maria Torres	9 Park St Apt 4E
<del>Jaime Salinas</del>	Jaime Salinas	9 Park St 2F (8C)
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I, Jonathan Canela of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jonathan Canela  
Signature  
245 Lockwood St Apt F  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 16<sup>th</sup> day of APRIL, A.D. 2014

MY COMMISSION EXPIRES  
ON 12-23-2016

[Signature]  
Notary Public

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

②

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2018 APR 11 12:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portorage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Idalia Escobar</i>	Idalia	1 Cadillac drive apt 916
<i>Maria La Perot</i>	Maria Taveras	APT 10 1 Cadillac Dr.
<i>Mary Benford</i>	MARY BENFORD	1 Cadillac Dr. Apt 716
<i>Emma Etienne</i>	Emma Etienne	1 Cadillac Dr. Apt 618
<i>Zenaida Rodryg</i>	Zenaida Rodriguez	1 Cadillac Dr. Apt 613
<i>Deborah Drammch</i>	Deborah Drammch	1 Cadillac Dr. Apt 215
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I, Emmett Fitzgerald, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Emmett Fitzgerald  
Signature  
109 Princeton Ave  
Address (Street & Number)  
Providence RI 02907  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

Joseph DeFrancesco  
Notary Public  
Commission expires 10/19/16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

4

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2009 APR 11 12:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

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(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Monica Vaite Carmona</del>	Monica Vaite Carmona	269 Webster Ave
<del>RUBY LAZO</del>	RUBY LAZO	8 Bosworth St
<del>Hebenny Jay Barr</del>	Hebenny Jay Barr	31 opper St
<del>Brian Pelletier</del>	Brian Pelletier	44 peacedale Road
<del>Vanessa Villon</del>	Vanessa Villon	32 Maplewood Ave CRANSTON
<del>Shanica Goncalves</del>	Shanica Goncalves	157 Ivy St, Providence
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I, Servio Gomez, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
Signature  
144 Congress Ave  
Address (Street & Number)  
Providence, RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
Notary Public

My Commission expires 4-4-16

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 1 11:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

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(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

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(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

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(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

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2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

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(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Claira Bernardo</i>	CLAIRE BERUANDU	30 HAGAN ST. 319
<i>Marta</i>	DRENE MAROTTA	30 Hagan # 215
<i>Robert K. Espinosa</i>	ROBERT K. ESPINOSA	30 HAGAN STREET APT-215
<i>Carolyn M. Fischer</i>	CAROLYN M. FISCHER	30 HAGAN ST #213
<i>Concetta Santagata</i>	CONCETTA SANTAGATA	30 HAGAN ST # 209
<i>Richard Kuffler</i>	RICHARD KUFFLER	30 Hagan # 215
<i>Angelina Sawyer</i>	ANGELINA SAWYER	30 Hagan # 215
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I, MIRIAM K. PARADA of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Miriam K. Parada

653 WATSON AVE 2<sup>ND</sup> FL

PROV. R.I. 02909

City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anna Tallor

Notary Public

My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

3

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
2011 APR 11 P 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Laura U. Soa</i>	Laura U. Soa	211 Adelaide APT. #1
<i>HOLADU</i>	HOLADU	211 Adelaide APT. #23
<i>JUSTIN KOTOWITZ</i>	JUSTIN KOTOWITZ	211 Adelaide APT. #14
<i>MARIA COLLAZO</i>	MARIA COLLAZO	
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I, Freyo Greene, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

*Freyo Greene*  
 Signature  
22 Penn St apt 3  
 Address (Street & Number)  
Providence R.I. 02909  
 City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

*Michael Hays*  
 Notary Public

#4278



**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2018 APR 11 12:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
	Anthony Sionni	198 Sunbury St
	Michael Z. Merola	62 Camp St #2
	Josue F. Crothera	69 Brown St, 02912
	Mirnela Christoff	67 Jastram St, Prov.
	Emmett Fitzgerald	109 Princeton Ave, Providence 02907
	Josue D. Diaz	623 Cleburn Valley Pkwy, PRO. 02909
	Sarah Garrison	24 Callen St Providence 02908
	Greg Gerritt	37 6th St 02906
	Michael Araujo	54 Hudson St 02909
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I, Jenna Karlin, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jenna Karlin  
Signature  
623 Pleasant Valley Pkwy  
Address (Street & Number)  
Providence, RI 02908  
City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10<sup>th</sup> day of April

Michael Acip  
Notary Public  
A.D. 20 14

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE BOARD OF CANVASSERS REGISTRATION APR 11 10 52

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business. WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

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Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

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(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

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**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Michael Robinson</del>	<del>Michael Robinson</del>	<del>9 Chapin Ave</del>
<del>William D. McHearne</del>	William D. McHearne	15 Cowper Ct
<del>Jennifer Lee</del>	Jennifer Lee	11 Chapin Ave Providence RI
<del>Heather Gately</del>	Heather Gately	43 Chapin Ave Providence
<del>Edna Welter</del>	Edna Welter	63 Chapin Ave Pod
<del>Benedicta Gafada</del>	Benedicta Gafada	67 Chapin Ave
<del>Edward Montanone</del>	Edward Montanone	12 Chapin Ave
<del>John Barbegallo</del>	John Barbegallo	71 Chapin Ave #2
<del>Stephanie Snyder</del>	Stephanie Snyder	61 Chapin Ave #1
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I, Mirnaam A Parada of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Mirnaam A Parada  
 Signature  
653 Manton Ave 2nd  
 Address (Street & Number)  
Prov. R.I. 02909  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 20 14

Rosamund Anna Talbot  
 Notary Public  
 My commission expires 4-4-16

# 4278

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**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 1 P 12:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

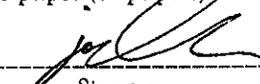
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Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Handwritten signature</del>	Kristin Murphy	259 Rochambeau Ave.
<del>Handwritten signature</del>	Suzannah Skolnik	71 Chapin Ave #3
<del>Handwritten signature</del>	Chanrany Proeung	62. Lisbon St. Prov. RI
<del>Handwritten signature</del>	Faith Torres	1959 SSA Frost St Prov
<del>Handwritten signature</del>	MARY KAY HARRIS	304 PERKINS ST PROV.
<del>Handwritten signature</del>	Seth Magaziner	90 22 <sup>nd</sup> St #303
<del>Handwritten signature</del>	<del>Christina H. Blazewski</del>	<del>1 Thayer St. 02906</del>
<del>Handwritten signature</del>	<del>Jeffrey Levy</del>	<del>170 Began St.</del>
<del>Handwritten signature</del>	<del>Paul Harrington</del>	<del>190 So. Falls St</del>
<del>Handwritten signature</del>	Lauren Holloman	120 Skated Ave
<del>Handwritten signature</del>	N.L. KHAN	9 Slacum St.
<del>Handwritten signature</del>	JUAN M. Pichardo	229 ATLANTIC AVE.
<del>Handwritten signature</del>	RACHEL COLANGELO	23 E. Manning 02906
<del>Handwritten signature</del>	David Vanecko	29 Lincoln Ave Prov 02909
<del>Handwritten signature</del>	Samuel Bell	168 Elmgrove Ave #11
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I, Joseph Crowther, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
 -----  
 Signature  
69 Brown St.  
 -----  
 Address (Street & Number)  
Providence  
 -----  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

  
 -----  
 Notary Public  
 Commission expires 10/19/16

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

18

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 11 12 52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:
Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

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Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Maria E. Johnson</del>	<del>Maria E. Johnson</del>	<del>675 E 104, 675 E/Inwood</del>
Eddie Johnson	Eddie Johnson	675 E Inwood 105
<del>James Russell</del>	<del>JAMES RUSSELL</del>	<del>303 IRANSTAN ST. Apt 330</del>
<del>Walter ...</del>	<del>Walter ...</del>	<del>45 ...</del>
<del>James Russell</del>	<del>JAMES RUSSELL</del>	<del>369 MONTGOMERY AVE 7-H</del>
Maubel Luna	MARIBEL LUNA	1422 Broad St. 2e
Mana P. ...	MARIA DURAN	369 Montgomery Ave 7m
<del>Victor ...</del>	<del>Victor ...</del>	<del>369 Montgomery 5F</del>
<del>Ann Schulz</del>	<del>ANN SCHULZ</del>	<del>369 " " " 12-13</del>
Rosa Chalas	ROSA CHALAS	1 Cadillac APT 611
<del>Frank B. ...</del>	<del>FRANK B. ...</del>	<del>1 Cadillac Drive APT 109</del>
Ana Keralta	ANACONA KERALTA	1 Cadillac DR #411
<del>Manuel Troncoso</del>	<del>MANUEL TRONCOSO</del>	<del>1 CADILLAC DR 411</del>
<del>Elvira Troncoso</del>	<del>ELVIRA TRONCOSO</del>	<del>820 UNION AVE #2</del>
<del>Alvin S. ...</del>	<del>ALVIN S. ...</del>	<del>1 Cadillac DR #914</del>
<del>Dolores Garcia</del>	<del>DOLORES GARCIA</del>	<del>1 CADILLAC APT 915</del>
<del>Danitza Garcia</del>	<del>DANITZA GARCIA</del>	<del>500 ROAD ST Apt 121</del>
Josef Mejia	JOSEF MEJIA	1 Cadillac Drive apt 512
<del>Audra ...</del>	<del>Audra ...</del>	<del>10 Palmetto 520</del>
<del>Juan ...</del>	<del>Juan ...</del>	<del>1 Cadillac 2 APT 217</del>
Brian Conway	BRYAN CONWAY	1 Cadillac drive, apt 213
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I, Sundeep Sood, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

-----  
  
Signature  
-----  
43 Moore St  
Address (Street & Number)  
-----  
Providence, RI 02907  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 20 14

  
Notary Public  
Commission expires 10/19/16

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

21

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 1 P 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Christine Walpert</del>	<del>Christine Walpert</del>	<del>41 Chapin Ave #3</del>
<del>Elaine Collins</del>	<del>Elaine Collins</del>	<del>134 Messer St. #1</del>
<del>Michael Chellel</del>	<del>Michael Chellel</del>	<del>117 Parade St</del>
<del>Vilma Dias</del>	<del>Vilma Dias</del>	<del>33 Wood St</del>
<del>Matthew Fainisi</del>	<del>Matthew Fainisi</del>	<del>43 Wood St</del>
<del>Erin Ramos</del>	<del>Erin Ramos</del>	<del>79 Wood St</del>
<del>Jenai Dejean</del>	<del>Jenai Dejean</del>	<del>11 Meadow St</del>
<del>Tessa Freas</del>	<del>Tessa Freas</del>	<del>77 Wood St</del>
<del>Tayina Jolicœur</del>	<del>Tayina Jolicœur</del>	<del>608 Wood St Apt 1</del>
<del>James Mincy</del>	<del>James Mincy</del>	<del>460 Charles St 204</del>
<del>Thomasina Woulfe</del>	<del>Thomasina Woulfe</del>	<del>460 Charles St Apt 207</del>
<del>Rachel Bassette</del>	<del>Rachel Bassette</del>	<del>460 Charles St Apt 208</del>
<del>Sonia Rodrigiez</del>	<del>Sonia Rodrigiez</del>	<del>460 Charles St Apt #306</del>
<del>Belle A. Pellegrino</del>	<del>Belle A. Pellegrino</del>	<del>460 Charles St Apt #404</del>
<del>William Goldwatt</del>	<del>William Goldwatt</del>	<del>460 Charles St Apt 508 P#508</del>
<del>Mary Corrente</del>	<del>Mary Corrente</del>	<del>460 Charles St Apt 605 P#605</del>
<del>Stefoy Desimone</del>	<del>Stefoy Desimone</del>	<del>460 Charles St Apt 608 P#608</del>
<del>Felipe Fournier</del>	<del>Felipe Fournier</del>	<del>460 Charles St Apt 701 P#701</del>
<del>Neison Monteiro</del>	<del>Neison Monteiro</del>	<del>460 Charles St Apt 811</del>
<del>Richard Forlyve</del>	<del>Richard Forlyve</del>	<del>460 Charles St Apt 905</del>
<del>Robert A. Fish</del>	<del>Robert A. Fish</del>	<del>460 Charles St Apt 922</del>
<del>Pasquale D'Incole</del>	<del>Pasquale D'Incole</del>	<del>460 Charles St Apt 1002</del>
<del>Ernest Meron</del>	<del>Ernest Meron</del>	<del>460 Charles St 1009</del>
<del>Judy Norton</del>	<del>Judy Norton</del>	<del>460 Charles St</del>
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I, Erin McLaughlin, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]  
-----  
Signature  
190 Knickerbocker St #2  
-----  
Address (Street & Number)  
Providence  
-----  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anna Talbot  
-----  
Notary Public

My commission expires 4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

21

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
APR 11 PM 5:53

**Providing as follows:**

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

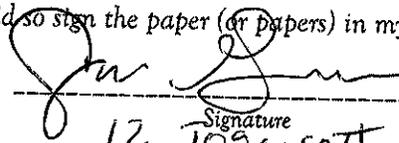
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Nancy Castillo</del>	NANCY CASTILLO	625 Public Street Prov, RI Apt 105
<del>Ramona Pena</del>	RAMONA PENA	625 Public St B1
<del>Edgar L. Santiago</del>	Edgar L. Santiago	625 public sh 201
<del>Vissu Marzu</del>	Vissu Marzu	625 Public St. Apt 201
<del>Maria Varga</del>	MARIA VARGA	625 public Street Apt 102
<del>Rosa Castro</del>	Rosa Castro	9 of 3 MANTON Apt 106
<del>Charles Statham</del>	CHARLES STATHAM	993 MANTON Ave Apt 107
<del>Denise Kelly</del>	DENISE KELLY	993 MANTON Ave #205
<del>Ennio Valentini</del>	ENNIO VALENTINI	993 MANTON AVE 201
<del>Hazel Dware</del>	HAZEL DWARE	993 MANTON AVE 301
<del>Bermain Senano</del>	BERMAIN SENANO	993 MANTON Ave Apt 310
<del>Willie B. Smith</del>	WILLIE B. SMITH	993 MANTON AVE Apt 311
<del>Jeffrey Nardolillo</del>	JEFFREY NARDOLILLO	993 MANTON Apt 313
<del>Dan Catalano</del>	DAN CATALANO	993 MANTON Ave Apt 411
<del>Colette Flynn</del>	COLETTE FLYNN	993 MANTON Ave Apt 403
<del>Kathryn Kane</del>	KATHRYN KANE	993 MANTON Ave Apt 404
<del>Ray-Priscilla</del>	RAY-PRISCILLA	993 MANTON Ave
<del>Trish Otero</del>	TRISH OTERO	993 MANTON AVE #601
<del>Jose P. Disimone</del>	JOSE P. DISIMONE	993 MANTON AVE #605
<del>Barbara Santilli</del>	BARBARA SANTILLI	993 MANTON AVE Apt 606
<del>Tatayanna James</del>	TATAYANNA JAMES	993 MANTON AVE Apt 607
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I, Juan Garis, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

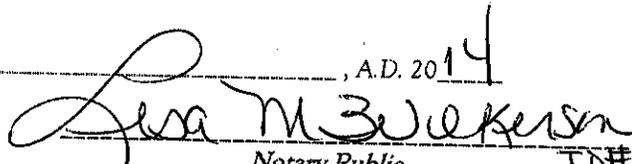


Signature  
12 Toganett Rd  
Address (Street & Number)  
Providence, RI 02910  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April

, A.D. 2014

  
Notary Public ID# 56729  
Key Commission Expires  
10-7-2017

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

15

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
MAY 11 P 12:32

"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>Thomas J Ryan</i>	THOMAS J. RYAN	590 Pleasant Valley Pkwy
<i>Joseph A. Elliott</i>	Joseph A. Elliott	465 Pleasant Valley Pkwy
<i>George G Lewis</i>	George J Lewis	465 Pleasant Valley Pkwy
<i>Donald J. Cassola</i>	DONALD J. CASSOLA	451 Pleasant Valley Pkwy
<i>Daniel J Kane</i>	DANIEL J KANE	451 Pleasant Valley Pkwy
<i>Jimmie Sanford</i>	JIMMIE SANFORD	373 Academy
<i>Allen Roland</i>	Allen Roland	373 Academy
<i>Jennifer L Saarinen</i>	Jennifer L Saarinen	56 Winthrop Ave
<i>Christine D Kunkel</i>	CHRISTINE D KUNKEL	58 FORBES ST.
<i>Heidi Brinig</i>	HEIDI BRINIG	543 PLEASANT VALLEY PKWY
<i>Mary Jane Frank</i>	Mary Jane Frank	481 Pleasant Valley Parkway
<i>Justin Frank</i>	Justin Frank	481 Pleasant Valley Parkway
<i>Michael Frank</i>	Michael Frank	481 Pleasant Valley Parkway
<i>Thomas Frank</i>	Thomas Frank	481 Pleasant Valley Parkway
<i>Douglas T. Sill</i>	Douglas Sill	40 Wyndham Ave. Providence
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I, Joseph A. Elliott, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Joseph A. Elliott  
Signature  
465 Pleasant Valley Parkway  
Address (Street & Number)  
Providence, R.I. 02908  
City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10th day of April

Michael Han, A.D. 20 14  
Notary Public

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

12

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 11 P 12:52

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:
Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Seth Jones</del>	Seth Jones	250 Gallatin st
<del>Linda Benton</del>	Linda Benton	226 Gallatin St
<del>CLEOR M. FRANCIS</del>	CLEOR M. FRANCIS	218 GALLATIN ST.
<del>MARIE S. THIBEAULT</del>	MARIE S. THIBEAULT	170 GALLATIN ST
<del>Yudeh V. Dunbar</del>	Yudeh V. Dunbar	171 Gallatin St
<del>Rosa Ramos</del>	Rosa Ramos	175 Gallatin St
<del>Joyce Sylvia</del>	Joyce Sylvia	215 Gallatin St
<del>DELORES M. GIBBONS</del>	DELORES M. GIBBONS	212 M Gallatin St
<del>JAMES W. GIBBONS</del>	JAMES W. GIBBONS	227 GALLATIN ST.
<del>Darryl K. Jett</del>	Darryl K. Jett	231 Gallatin St.
<del>Diane Hall</del>	Diane Hall	231 Gallatin St
<del>Yotaky Lugo</del>	Yotaky Lugo	247 Gallatin St.
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I, Jordan DeLoach, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Jordan DeLoach  
Signature  
69 Brown St Box 2800  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 60 day of April, A.D. 2014

Joseph DeFrancesco  
Notary Public  
commission expires 10/19/16  
Joseph DeFrancesco

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

12

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE BOARD OF CANVASSERS REGISTRATION 10/11 APR 11 P 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

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(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>NO</del>	<del>Jorge Davila</del>	<del>67 Ontario St 2nd Floor</del>
<del>NO</del>	<del>Jorge Davila</del>	<del>67 Ontario St Pr. 2E</del>
✓ Denise Halloway	Denise Halloway	45 Alto St 117 POCasset
✓ Wendy D Segura	Wendy D Segura	237 Vermont Ave Providence
✓ Fanny E Castillo	Fanny E Castillo	21 Sterling Ave. Apt 7
✓ Helena Pahn	HELENA PAHN	36 BIRCHDALE ST
✓ Antonio C. Lopes	ANTONIO C. LOPES	197 Dumas St. Pr. 01
✓ Saira S. Santos	SAIRA S. SANTOS	225 Public St #305
✓ Ernest Penn	ERNEST PENN	43 GRAND ST. #2
✓ Alex De La Rosa	Alex De La Rosa	21 Laban St 11
✓ Michael F. Goodine	MICHAEL F. Goodine	28 Grand St 7
✓ Humbert / Phungwong	Humbert / Phungwong	28 GRAND ST
✓ Jose S. Sanchez	JOSE S. SANCHEZ	32 DARTMOUTH AV
✓ Dominga Hernandez	DOMINGA Hernandez	20 SPANISH ST 106
✓ Mercedes H. Torres	Mercedes H. Torres	20 GRAN 209
✓ I R M	ISRAEL Ruiz	20 JEFF ST 204
✓ Elisa Colon	ELISA COLON	206 VAD ST 214
✓ Esteban Colon	ESTEBAN COLON	20 GRAN ST 204
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I, Carmen Castillo of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Carmen Castillo  
Signature  
381 POTTERS AVE  
Address (Street & Number)  
PROV. R.I. 02907  
City or Town

State of Rhode Island  
Providence County, Sc.

Subscribed to me this 10 day of April

Joseph A. Diaz  
Notary Public

Comm exp 8/2/14

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OTHER COMMUNITIES"

2014 APR 1 P 12:50  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

**Be it Ordained by the City of Providence:**

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) **Purpose.**

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) **Definitions.**

*Hotel* includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

*Hotel Employer* means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>[Signature]</i>	Victor Peraza	14 ANCEM ST RT PROV. 02908
<i>[Signature]</i>	VICTOR PERAZO	17 DUNBAR ST PROVIDENCE RI 02909
<i>[Signature]</i>	VICTOR ROSADO JR	17 DUNBAR ST PROV. RI
<i>[Signature]</i>	RUBI CRUZ	17 DUNBAR ST PROV RI 02908
<i>[Signature]</i>	David Cruz	21 Dunbar St Prov
<i>[Signature]</i>	JOANNA A. POWERS	21 Dunbar St Providence, RI 02909
<i>[Signature]</i>	RICARDO FIORI	18 DUNBAR ST PROV
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I, Courtney Smith of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Courtney J. Smith  
signature  
40 Princeton Avenue Apt 1  
Address (Street & Number)  
Providence, R.I.  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 11<sup>th</sup> day of April, A.D. 2014

Rozanne Stina Talbot  
Notary Public

My commission expires  
4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
2011-09-11 P 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
✓ 1. <i>[Signature]</i>	Joseph DeFrancesco	101 America St Apt 2
✓ 2. <i>[Signature]</i>	Norlan Olivo	131 Washington St
✓ 3. <i>[Signature]</i>	Fess Brown-Lavoie	18 Hudson St.
✓ 4. <i>[Signature]</i>	Emmett Fitzgerald	109 Princeton Ave
5. <i>[Signature]</i>	Rachel Levenson	75 Waterman Ave
6. <i>[Signature]</i>	Laura Brown-Lavoie	18 Hudson St.
✓ 7. <i>[Signature]</i>	Simcha Davis	85 Bradley St
8. <i>[Signature]</i>	Victoria Ruiz	101 America St Apt 2
✓ 9. <i>[Signature]</i>	AUSTIN G'AROFFA	99 Rugby St.
✓ 10. <i>[Signature]</i>	Olivia Jenkins	26 Baldwin Bridge Ave
<del>11. <i>[Signature]</i></del>	<del>Jessie [unclear]</del>	<del>1655 [unclear] [unclear] [unclear]</del>
12. <i>[Signature]</i>	Tim ROVINELLI	49 Medway St
✓ 13. <i>[Signature]</i>	Andrew Cook	198 Carpenter St #42
✓ 14. <i>[Signature]</i>	Bridget Ferrill	69 [unclear]
✓ 15. <i>[Signature]</i>	CHRISTIANE MARIE LANDRY	71 ERIE STREET PVD 02904
✓ 16. <i>[Signature]</i>	Olivia Morvath	40 Wood St Apt 2 PVD 02904
✓ 17. <i>[Signature]</i>	Penny Robinson	95 Willow Rd
✓ 18. <i>[Signature]</i>	Clement Ilori	80 Sycamore St Prov 02909
✓ 19. <i>[Signature]</i>	Jblayomi Ilori	80 Sycamore St prov. 02909
✓ 20. <i>[Signature]</i>	Joseph M. Marsone	23 CAROL CT Prov. 02909
✓ 21. <i>[Signature]</i>	Peter Siemas	24 Carol Ct Prov 02909
✓ 22. <i>[Signature]</i>	BEN TYLER	12 GIBBON CT. 02909
✓ 23. <i>[Signature]</i>	EMILY COSTA	23 CAROL CT 02909
24. <i>[Signature]</i>	MURJANNA A. PANADA	653 MAINTON DR. PROV. 02909
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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK [Signature]</del>	Joseph DeFrancesco	101 America St Apt 2
<del>OK [Signature]</del>	Norlan Olivo	131 Washington St
<del>OK [Signature]</del>	Tess Brown-Lavoie	18 Hudson St.
<del>OK [Signature]</del>	Emmett Fitzgerald	109 Princeton Ave
<del>OK [Signature]</del>	Rachel Levenson	75 Waterman Ave
<del>OK [Signature]</del>	Laura Brown-Lavoie	18 Hudson St.
<del>OK [Signature]</del>	Simcha Davis	85 Bradley St
<del>OK [Signature]</del>	Victoria Euk	101 America St Apt 2
<del>OK [Signature]</del>	AUSTIN G'NOFFA	99 Ruaby St.
<del>OK [Signature]</del>	Olivia Jenkins	26 Bainbridge Ave
<del>OK [Signature]</del>	<del>DESS GREENE</del>	<del>DESS GREENE</del>
<del>OK [Signature]</del>	Tim ROVINELLI	49 Medway St
<del>OK [Signature]</del>	Andrew Cook	198 Carpenter St #2
<del>OK [Signature]</del>	Bridget Ferrill	69 Brown St
<del>OK [Signature]</del>	CHRISTIANE MARIE LAUDRY	PIERRE STREET PVD 02909
<del>OK [Signature]</del>	Olivia Morvath	40 Wood St APT 2 PVD 02909
<del>OK [Signature]</del>	Penny Robinson	95 Willow lal
<del>OK [Signature]</del>	Clement Ilori	80 Sycamore st Prov 02909
<del>OK [Signature]</del>	Jolayomi Ilori	80 Sycamore St prov. 02909
<del>OK [Signature]</del>	Joseph M. MARONE	23 CAROL CT Prov. 02909
<del>OK [Signature]</del>	Peter Sietina	24 Carol Ct Prov 02909
<del>OK [Signature]</del>	BEN TYLER	12 GIBSON CT. 02909
<del>OK [Signature]</del>	EMILY COSTA	23 CENOT CT 02909
<del>OK [Signature]</del>	MURJANA A. PARADA	653 MAUNTON AV. PROV. 02909
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I, MIRJAMA PARADA, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Mirjam G Parada  
Signature  
653 MANTON AV. 2nd Fl.  
Address, (Street & Number)  
PROVIDENCE R.I 02909  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anna Talbot  
Notary Public

My commission expires 4-4-16

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRAR  
2019 APR 11 P 12:52

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

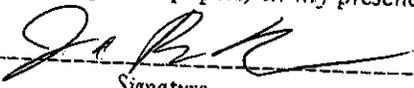
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Signature</del>	Lorenny De La Cruz	50 Cactus St Prov. RI 02905
<del>Signature</del>	Nelly M. De la Cruz	50 Cactus St Prov. RI 02905
<del>Signature</del>	MARIA MENDEZ	196 Gallup St Prov RI 02905 Apt 1
<del>Signature</del>	VIRCAMIA FRIAS	4/2 SOMERSET ST Prov RI 02907
<del>Signature</del>	Taida Hernandez	230 Lynch St Providence, 02908
<del>Signature</del>	Carmen T. Rivera	118 Wood St. Prov RI 02909
<del>Signature</del>	TOMAS FERRE	219 CALIFORNIA AVE 02909 PRov
<del>Signature</del>	Liz Marie Santiago	69 Ontario St 02907 R.I. Apt 1
<del>Signature</del>	Deborah Perry	670 North Main St.
<del>Signature</del>	<del>REYMOND BREWSTER</del>	<del>670 North Main St Apt 2 E</del>
<del>Signature</del>	REYMOND BREWSTER JR	670 North Main St Prov RI Apt 2 H
<del>Signature</del>	<del>Signature</del>	<del>Signature</del>
<del>Signature</del>	<del>Signature</del>	<del>Signature</del>
<del>Signature</del>	<del>Signature</del>	<del>Signature</del>
<del>Signature</del>	R. M. Ramonita	670 Main St Providence, R.I. 02904 ATTEN
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I, Joseph DeFrancesco, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
Signature  
101 American St Apt 2  
Address (Street & Number)  
Providence, RI  
City or Town

State of Rhode Island  
Providence county, Sc.

Subscribed to me this 10<sup>th</sup> day of April

, A.D. 2014  
Notary Public

# 4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 P 12:52

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

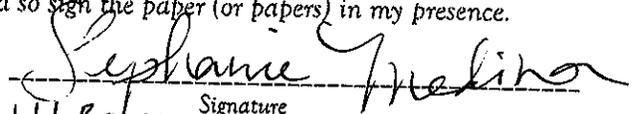
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>TERESA CONCEICAO</del>	TERESA CONCEICAO	205 WICKENDEN ST.
<del>Barbara Thompson</del>	BARBARA Thompson	575 Wickenden ST
<del>Debra Brown</del>	<del>DEBRA BROWN</del>	
<del>Debra Brown</del>	Debra Brown	105 Gallup st pro 1841
<del>Louise McCoub</del>	Louise McCoub	575 Wickenden ST 357
<del>Inne Chrrier</del>	Inne Chrrier	575 Wickenden Prov.
<del>Joaquim Dobson</del>	JOAQUIM DOBSON	575 WICKEN ST 401
<del>Janita Hammond</del>	Janita Hammond	575 Wickenden St 407
<del>Isabel Harris</del>	ISABEL HARRIS	575 Wickenden St (411)
<del>HAGOP ANMAZIAN</del>	HAGOP ANMAZIAN	575 Wickenden St Apt 505
<del>Debra Brown</del>	DEBRA BROWN	575 Wickenden St 505
<del>Bruce Giamoco</del>	Bruce Giamoco	575 WICKENDER ST 507
<del>Antonio Silva</del>	Antonio Silva	575 Wickenden St
<del>FRED WILKINSON</del>	FRED WILKINSON	575 WICKENDER ST 603
<del>CAROLE FINGER</del>	CAROLE FINGER	575 Wickenden St, Pro. # 607
<del>Richard Bagle</del>	Richard Bagle	575 Wickenden St PROV RI 612
<del>Johnna Rogers</del>	Johnna Rogers	Wickenden St 702
<del>STEWART STOLWORTH</del>	STEWART STOLWORTH	575 WICKENDER ST # 710
<del>Carroll M. Clark</del>	Carroll M. Clark	575 Wickenden St 713
<del>Victory D. Periel</del>	VICTORY D. PERIEL	575 Wickenden 713
<del>LEWIS P. RODRIGUES</del>	LEWIS P. RODRIGUES	115 GOLDSMITH AV. R.I.
<del>JAMES TURSTALL</del>	JAMES TURSTALL	575 Wickenden St 813
<del>ALMA NURY</del>	ALMA NURY	575 WICKEN
<del>RON GRANDY JR</del>	RON GRANDY JR	575 WICKENDER
<del>Geraldine M. Myrick</del>	Geraldine Myrick	575 Wickenden St.
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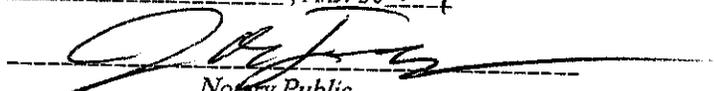
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I, Stephanie Medina, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
 Signature  
111 Bowen St. Providence, RI 02906  
 Address (Street & Number)  
Providence, RI  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

  
 Notary Public  
 Commission expires 10/19/16  
 Joseph DeFrancesco

#4278

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

27

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

CITY OF PROVIDENCE BOARD OF CANVASSERS & REGISTRATION APR 11 P 12:51 PM

Providing as follows:

Be it Ordained by the City of Providence:

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

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Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

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(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Betzaida Benitez</del>	<del>Betzaida Benitez</del>	<del>53 Aleppo St. Prov. RI</del>
<del>Manoel Justo</del>	<del>Manoel Justo</del>	<del>88 Burrows St Providence RI 02909</del>
Tamar Benitez	Tamar Benitez	99 Porter St Prov RI 02907
<del>Jorge L. Rodriguez</del>	<del>Jorge L. Rodriguez</del>	<del>32 Call St. Prov. RI 02905</del>
Narda Cruz	PRANCIA U. CRUZ	4 South B, apt 213 02904
Sonia Javed	SONIA JAVED	658 Chalkstone Ave. 1er Prd. 7L RI 02908
Manoel Justo	Manoel Justo	140 Laurast Prov RI 02907
Bergica Guaba	BERGICA GUABA	45 PHEBE ST. 2A prov. RI 02904
<del>Rosario Cruz</del>	<del>112 Indiana Ave</del>	<del>112 Indiana Ave 02905. 1Fnd.</del>
Rosario Cruz	ROSARIO CRUZ	112 Indiana Ave 02905.
Luis R. Richards	Luis R. Richards	288 near yorlane Prov RI 02905
Graciela Cruz	GRACIELA CRUZ	49 MARLBOROUGH ST PROV. RI 02907
Teime Vazquez	Teime Vazquez	140 LAURA ST 401-654-3225
Adama Villafane	Adama Villafane	1030 Atwell
Ada Perez	Ada Perez	711 BRIGHAM ST #3
Carmen Torres	Carmen Torres	10 Massie Ave Prov. RI
Jesus E. Diaz	JESUS E. DIAZ	1108 Westmister St
Mari Tza Sanchez	MARITZA Sanchez	189 WOODWARD Road 02904
Dino Montez	Dino Montez	85 Abbott Street
Jared Planco	JARED PLANCO	131 WASHINGTON ST, PROV
Emmett Fitzgerald	Emmett Fitzgerald	45 Oak Street, Providence, 02909
Kevin Girard	Kevin Girard	131 Washington St. #308 Providence RI
Alisa B. Gallo	Alisa B. Gallo	66 Vernon St. Prov. RI 02903
Milciades Teiz	MILCIADES Teiz	9 PARKIS AVE. apt 2K
Rafael de la Rosa	RAFAEL DE LA ROSA	9 PARKIS AVE APT 4/G
Janis Comes	JANIS COMES	1221 Elmwood Ave
Edward Jenkins	EDWARD JENKINS	9 PARKIS AVE 6-K
Elsa Vargas	Elsa Vargas	9 Parkis Ave 6H
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I, Courtney Smith, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

Courtney Smith  
Signature  
40 Princeton Ave Apt 1  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 11<sup>th</sup> day of April, A.D. 2014

Rosamund Gunn Talbot  
Notary Public

My commission expires  
4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

3

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
APR 11 PM 5:53

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and

WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(c) Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

**(d) Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>OK 1. DAVID RATSOMBATH</del>	<del>DAVID RATSOMBATH</del>	<del>145 CALL ST PROV. RI 02905</del>
<del>NO 2. [Signature]</del>	<del>[Signature]</del>	<del>210 CALL ST.</del>
<del>3. [Signature]</del>	<del>HUGO ADAMEZ</del>	<del>230 CALL ST. PROV. RI 02905</del>
<del>4. Eleanor Monteiro</del>	<del>Eleanor Monteiro</del>	<del>100 Calla St</del>
<del>5. Robert A. Janarey</del>	<del>Robert A. Janarey</del>	<del>86 CALL ST. PROV. RI 02905</del>
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I, James Daly, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

James Daly  
Signature  
38 Mowbray Street  
Address (Street & Number)  
Providence RI  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10<sup>th</sup> day of April, A.D. 2014

Rosamund Anna Tolbin  
Notary Public

My commission expires  
4-4-16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

5

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.

WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:  
Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRAR

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

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**(e) Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

**(e) Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

**(f) Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

**(g) Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

**(h) Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) **Severability.**

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

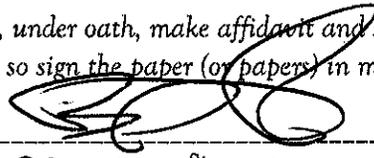
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>1. [Signature]</del>	STEPHANIE LARRIERO	71 Chapin Ave, PVD. 02909
<del>2. [Signature]</del>	ESTHER JONES	78 WILLOW ST, PVD 02909
<del>3. [Signature]</del>	Bianca Mello	118 Messer St, PVD. 02909
<del>4. [Signature]</del>	Wilma Diaz	33 Wood St
<del>5. [Signature]</del>	Jenna Legault	57 Wood St
<del>6. [Signature]</del>	Barry P Cook	39 Ordham Ave
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I, Barry P. Cook, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
-----  
39 Dedham Ave  
Address (Street & Number)  
Providence RI 02909  
-----  
City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 2014

  
Joseph DeFrancisco  
Notary Public  
Commission Expires 10/19/16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

We, the undersigned qualified electors registered to vote in the City of Providence, acting pursuant to the initiative power created by the Providence Home Rule Charter, Art. II, Section 209, hereby petition the Providence City Council to enact an Ordinance Entitled:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
APR 11 11 PM 54

"HOTEL WORKER MINIMUM WAGE; AN ORDINANCE TO INCREASE SPENDING IN OUR COMMUNITIES"

Providing as follows:

*Be it Ordained by the City of Providence:*

WHEREAS, the City of Providence finds that tourism, one of its largest private sector employers, is a vital element of the city's economy; and  
WHEREAS, the City of Providence finds that the impact of increasing the hotel worker minimum wage will lead to more spending in other City businesses, thus creating additional revenue for City businesses, multiplying the amount of money in the City's economy and improving the City's climate to attract and sustain local business.  
WHEREAS, this hotel worker minimum wage will amount on average to approximately \$1.85 more per room cleaned for hotel housekeepers in our City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PROVIDENCE that:

Section 1. The Code of Ordinances of the City of Providence, Chapter 2, entitled, "Administration," Article I, is hereby amended to add the following Section \_\_\_\_\_, titled "Hotel Worker Minimum Wage; An Ordinance To Increase Spending In Our Communities."

(a) Purpose.

The purpose of this ordinance is to increase the minimum wage for Providence hotel employees.

(b) Definitions.

Hotel includes any hotel, motel, resort, boarding house, or bed and breakfast which is kept, used or advertised as, or held out to the public as, a place where sleeping or housekeeping accommodations are supplied for pay to guests for leisure, business or group occupancy, which is operating within the City of Providence with at least 25 rooms, and any in-house component thereof, including housekeeping services, front desk, laundry, room service, valet, bell desk, restaurant, food and/or beverage service or other operation facilitating guest service located within a hotel, motel, resort, boarding house, or bed and breakfast containing at least 25 rooms.

Hotel Employer means a person, whether owner or a manager, who acts as the employer of employees defined below working in a hotel. This includes, but is not limited to, the owner,

management company, contractor, subcontractor, temporary agency, lessee, sublessee, or other person, that will employ employees to work in any part of the facility where a hotel has been located, but does not include guests or patrons of hotel who employ persons to perform work for the guest or patron during their stay.

*Hotel Employee* means any person employed to perform any services by a hotel employer, including part-time and on-call employees and employees on vacations or leaves of absence, but excluding any supervisors or and managerial employees as defined in 29 U.S.C. §152(11), and further excluding employees of guests or patrons of hotel who perform work for the guest or patron attendant to their stay. If a person or entity is an independent contractor for a hotel, said person or entity will not be considered an employee for the purposes of this ordinance.

*Person* means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

*Service charge* means all separately-designated amounts, regardless of name or label, that are added to the base charge for food or beverages, banquets, portorage, valet, parking or other services and collected by a hotel employer from customers except taxes and fees levied by federal, state or local government. Service charges are in addition to hourly wages paid or payable to the employee or employees serving the customer.

*Tips* mean any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a Covered Worker by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(c) **Minimum Wage**

(1) Each Hotel employer shall pay Hotel Employees an hourly wage of at least fifteen dollars (\$15.00) per hour worked.

(2) Tips, gratuities, service charges, commissions and employee fringe benefits covered by 29 U.S.C. §§ 1001 *et seq.* shall not be credited as being any part of, nor be offset against, the wage rates required by this Ordinance.

(3) Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other federal, state or local law, or provided by any contract, custom or practice, which are more favorable to employees than those applicable to those employees under this Ordinance, shall not be deemed to be amended, rescinded, or otherwise affected by this chapter but shall continue in full force and effect.

(d) **Service charges**

Service charges shall not be retained by a hotel employer but shall be paid in the entirety by the hotel employer to the hotel employee(s) performing services for the customers from whom the service charges are collected. No part of these amounts may be paid to supervisory or managerial employees. The amounts shall be paid to the hotel employee(s) equitably and according to the services that are or appear to be related to the description of the amounts given by the hotel employer to the customers. The amounts shall be paid to the hotel employee(s) in the next payroll following collection of an amount from the customer. Without limitation of the foregoing:

(1) Amounts collected for banquets or catered meetings shall be paid equally to the hotel employee(s) who actually work the banquet or catered meeting; and

(2) Amounts collected for room service shall be paid to the hotel employee(s) who actually deliver food and beverage associated with the charge.

(3) Amounts collected for portage service shall be paid to the hotel employee(s) who actually carry the baggage associated with the charge. This subsection does not apply to any tip, gratuity, money, or part of any tip, gratuity, or money that has been paid or given to or left for a hotel employee(s) by customers over and above the actual amount due for services rendered or for goods, food, drink, or articles sold or served to the customer.

(e) **Effective Dates**

Except as provided herein, this Ordinance shall take effect as follows:

(1) For all hotels with two hundred (200) rooms or more, this Ordinance shall take effect twelve (12) months after passage.

(2) For all hotels with one hundred (100) rooms or more, this Ordinance shall take effect twenty-four (24) months after passage.

(3) For all hotels with twenty five (25) rooms or more, this Ordinance shall take effect thirty-six (36) months after passage.

(e) **Non-retaliation**

No hotel Employer may interfere with, restrain, or deny the exercise of, the prospective exercise of, or the attempt to exercise, any right protected under this Ordinance. No hotel Employer may discharge, layoff, discriminate against, or take adverse employment action against a hotel Employee for exercising the rights protected under this Ordinance (including making a charge, testifying, assisting, or participating in any manner in a claim under this Ordinance), or for the purpose of interfering with the attainment of any right to which the employee may become entitled under the Ordinance. Notwithstanding any other provision of this Ordinance, this section (e) shall be effective immediately upon passage.

(f) **Preservation of rights.**

1) No provision of this Ordinance shall be construed to impair, prohibit, or provide for any right of recovery for, that lawful exercise of employees' or employers' right to engage in strike or lockout.

2) Nothing in this Ordinance shall impose any obligation, direct or indirect, on any instrumentality of the State of Rhode Island.

(g) **Waivers**

The provisions of this Ordinance may not be waived, except that any provisions of this Ordinance may be waived by a bilateral collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous terms and is limited to the term of that agreement.

(h) **Enforcement.**

(1) An employee aggrieved by any violation of this Ordinance may bring an action at law in any court of competent jurisdiction of the State of Rhode Island within three years of the violation. The relief for a violation shall include:

(i) Damages for each day during which the violation continues,

(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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(i) Severability.

The provisions of this ordinance shall be severable. The requirements of this Ordinance shall not apply where and to the extent that state or federal law or regulations preclude their applicability. If any provision of this ordinance is held to be unenforceable by a court of competent jurisdiction, all remaining provisions shall remain in force.

Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>Emmanuel Falck</del>	Emmanuel Falck	28 Tenth St., Providence
<del>Marie Fajardo</del>	Marie Fajardo	51 Alvin St Providence
<del>Thomas A Cahir III</del>	Thomas A Cahir III	114 Wyndham Ave. Providence
<del>LeeAnn Byrne</del>	LeeAnn Byrne	199 Dexter St, Apt 1R
<del>Paula Hodges</del>	Paula Hodges	149 Bath St #1 02908
<del>William Fischer</del>	William Fischer	76 President Ave, 02906
<del>Nicole Coppa</del>	Nicole Coppa	160 Wyndham Ave, Providence, RI 02908
<del>James Mahoney</del>	James Mahoney	30 10th St. Providence, RI 02906
<del>Katherine Cielinski</del>	Katherine Cielinski	62 Camp St. #2 Providence RI 02908
<del>J. Aaron Rabinberg</del>	J. Aaron Rabinberg	62 Camp St. #2 Providence, RI 02906
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I, Emmanuel Feldk, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

[Signature]

78 Tenth St., Providence, RI 02906

Address (Street & Number)

Providence

City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 10 day of April, A.D. 20 14

[Signature] Joseph DeFrancesco  
Notary Public  
COMMISSION EXPIRES 10/19/16