



## 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,

A handwritten signature in cursive script, reading "Claudia J. Haugen".

Claudia J. Haugen  
Chairperson  
Board of Canvassers

IN CITY COUNCIL

**MAY 01 2014**

READ  
WHEREUPON IT IS ORDERED THAT  
THE SAME BE RECEIVED.

A handwritten signature in cursive script, reading "Renay Brooks Omisore".

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)

**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  
2018 APR 11 P 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.

(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.

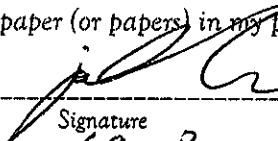
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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 BONNIE BUCK</del>	<del>BONNIE BUCK</del>	
<del>Bonnie Buck</del>	BONNIE BUCK	125 Governor St. # 306, PROV 02906
<del>Ursula Kennedy</del>	Ursula Kennedy	125 Governor St # 307 Prov, 02906
<del>Bernard Wynkoop</del>	Bernard Wynkoop	25 Governor St # 305
<del>Nancy L. Shelby</del>	Nancy L. Shelby	125 Governor St. # 201
<del>Lawrence Manfredi</del>	LAWRENCE MANFREDI	125 GOVERNOR ST
<del>Kenneth McDonald</del>	KENNETH MCDONALD	125 GOVERNOR ST-PROV
<del>Peter Capobianco</del>	PETER CAPOBIANCO	125 GOVERNOR # 108
<del>Sanford Buckbinder</del>	SANFORD BUCKBINDER	125 Governor St. 112
<del>Angela Dell</del>	Angela Dell	11
<del>Dorothy Johnson</del>	DOROTHY JOHNSON	125 Governor St # 002
<del>Caren A. Braun</del>	Caren A. Braun	125 Governor St 610
<del>Luana Caporaso</del>	Luana Caporaso	125 Governor St 009
<del>Luke Lattanzi-Silvers</del>	Luke Lattanzi-Silvers	116 Waterman Street, Prov, 02906
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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, RI  
 City or Town

State of Rhode Island  
Providence, Sc.

Subscribed to me this 19 day of April, A.D. 20 14

  
 Notary Public  
 Commission expires 10/19/16

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
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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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(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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(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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(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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**(f) Preservation of rights.**

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**(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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(i) **Severability.**

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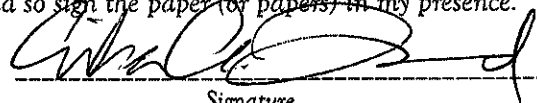
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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)
	Robin Coxington	19 ARCH ST EP RI
	Kristen Quirk	67 Hamden St FL 3
	DAVE HOFFMAN	896 HOPE
	Carol Agassuivas	10 Sumter St Prov RI
	Thom Sahar	114 Wyndham Ave. Prov.
	Kyle Bennett	206 Sumter St.
	Catherine Lewis	32 11th St. Prov.
	Elaine Fersk	99 Lloyd Ave Providence, RI 02906
	Alex Miller	2 Pratt St., RI
	Amy Jacob	46 Keen St Prov RI 02906
	Erika A. Juwald	144 Lloyd Ave., Prov., RI 02906
	STEPHANIE TSEUBERG	17 KEEFE ST, PROVIDENCE RI 02906
	Jessica H Sherwood	132 Humboldt Av Prov
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I, Erika A. Immale, 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

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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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.

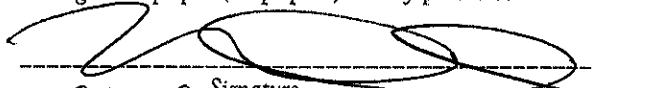
Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<i>[Signature]</i>	Adalberto RAMOS	9 PARKIS AVE apt 69
<i>[Signature]</i>	DANIEL E JORDAN	9 PARKIS AVE apt 69
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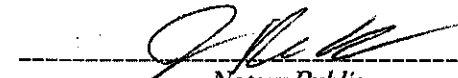
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I, Victoria Ruiz, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
Signature  
81 Congress 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

  
Notary Public  
Commission Expires 10/19/16  
Joseph DeFrancesco

**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,

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

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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>OK</del> Ramon Reyes	Ramon Reyes	144 Congress Ave
<del>OK</del> Karina Papa	Karina Papa	139 Chester Ave
<del>OK</del> Anna Paulina	ANNA SANTANA	139 Chester Ave
<del>OK</del> E. P. T. 10	N. S. T. 10	
<del>OK</del> Rutha Sea	Rutha Sea	122 Chester Ave
<del>OK</del> Jose Sanchez	JOSE SANCHEZ	33 Marlborough
<del>OK</del> MARIA PAZ	Maria Paz	68 Glenham St
<del>OK</del> GIANCARLO ABBEN	Giancarlo Abben	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	Nelly Alvarez 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 [Signature]  
 Address (Street & Number) 144 Congress Ave  
 City or Town Providence, RI

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

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**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

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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.

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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>	JESUS RAMIREZ	205 BAKER ST
<i>[Signature]</i>	CHRIS MORRIS	215 BAKER ST
<i>[Signature]</i>	JERRY MORRIS	215 BAKER ST
<i>[Signature]</i>	RICARDO BAEZ	221 BAKER ST
<i>[Signature]</i>	Yolanda Camacho	221 Baker St Providence
<i>[Signature]</i>	Raymond Richard	266 Baker St Providence
<i>[Signature]</i>	Heroína Colon	188 BAKER ST. PROV
<i>[Signature]</i>	Ramon Lopez	101 Brfield ST
<i>[Signature]</i>	<i>[Signature]</i>	948 BRANF AVE. B
<i>[Signature]</i>	Obaido Roque	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 Byfield 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 Wob Wacker Road 02904  
Address (Street & Number)

\_\_\_\_\_  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL

\_\_\_\_\_, A.D. 20 14

[Signature]  
Notary Public 9-24-2014

**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  
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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)
<input checked="" type="checkbox"/> <i>Peter Glantz</i>	Peter Glantz	81 Parade St. 02909
<input checked="" type="checkbox"/> <i>Johanna Walczak</i>	Johanna Walczak	87 Princeton Ave. 02907
<input checked="" type="checkbox"/> <i>Mercedith Stern</i>	Mercedith Stern	81 Parade St 02909
<input checked="" type="checkbox"/> <i>Anna France</i>	ANNA FRANCE	142 Abbott St. 02906
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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]  
Signature  
74 Willow 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. 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:**

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

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
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**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.

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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.

**(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>Julian Espinal</del>	JULIAN ESPINAL	301 CRANSTON ST #318
<del>NYONQUIN CEMIN</del>	NYONQUIN CEMIN	301 CRANSTON ST #15
<del>Jeanne Bauchemin</del>	Jeanne Bauchemin	301 CRANSTON ST #203
<del>Leida V. Heróles</del>	Leida V. Heróles	301 CRANSTON ST #204
<del>Ramon Nunee</del>	RAMON NUNEE	26 MAWNEY #22907 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

189 Woodward

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

**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:

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"HOTEL WORKER MINIMUM WAGE; AN  
ORDINANCE TO INCREASE SPENDING IN OUR  
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Providing as follows:

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

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

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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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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>	HIPOLITO RODRIGUEZ	71 VERNDALE AVE. Apt 2
<i>[Signature]</i>	Carlos M. de Leon	135 Verndale Ave.
<i>[Signature]</i>	VINIFRED CHRISTIAN	176 Verndale Ave.
<i>[Signature]</i>	VINODRAI CHRISTIAN	136 VERNDALE AVE
<i>[Signature]</i>	MAUREEN GIOIELLO	134 Verndale Ave
<i>[Signature]</i>	MEMERVA DORVO	20 BABCOCK ST.
<i>[Signature]</i>	DOMINGA SILVESTE	16 BABCOCK ST
<i>[Signature]</i>	RAMON D'ALMEIDA	32 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. 20 14



Notary Public

9-24-2017

**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  
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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, 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>83 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>83 Doyle Ave # 508</del>
<del>NO Juanita Gonzalez</del>	<del>Juanita Gonzalez</del>	<del>128 Knight St. Prov.</del>
<del>OK Valery Karkhlin</del>	<del>Valery Karkhlin</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 Joseph Champagne</del>	<del>JOSEPH CHAMPAGNE</del>	<del>100 Atwells Ave Apt 511</del>
<del>OK Jose Batista</del>	<del>JOSE BATISTA</del>	<del>100 Atwells Ave Apt 511</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

53 ALLEPO ST.

PROVIDENCE R.I. 02909

City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of APRIL

, A.D. 20 14



Notary Public

9-24-12

**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

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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,
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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>Edward G. Gay</del>	<del>Edward G. Gay</del>	<del>969 Eddy St.</del>
<del>Lawrence T. Tinstall</del>	<del>Lawrence Tinstall</del>	<del>72 Cromwell St.</del>
<del>Daniel Williams</del>	<del>DANIEL WILLIAMS</del>	<del>160 Benedict St. Apt 620</del>
<del>Richard D. Blanchard</del>	<del>RICHARD D. BLANCHARD</del>	<del>160 Benedict St. Apt 620</del>
<del>Josefa German</del>	<del>JOSEFA GERMAN</del>	<del>160 Benedict St. Apt 620</del>
<del>Susana Duran</del>	<del>SUSANA DURAN</del>	<del>160 Benedict St. Apt 620</del>
<del>Angel Taveras</del>	<del>Angel Taveras</del>	<del>160 Benedict St. Apt 501</del>
<del>Marlene Von Hoffer</del>	<del>Marlene Von Hoffer</del>	<del>969 Eddy St.</del>
<del>Charlie Von Hoffer</del>	<del>Charlie Von Hoffer</del>	<del>969 Eddy St.</del>
<del>Mary T. O'Connor</del>	<del>Mary T. O'Connor</del>	<del>969 Eddy St.</del>
<del>BARRY J. O'CONNOR</del>	<del>BARRY J. O'CONNOR</del>	<del>218 GALLATIN ST.</del>
<del>Argentina Villanueva</del>	<del>Argentina Villanueva</del>	<del>156 Gallatin St.</del>
<del>WALTER LEO PERSON</del>	<del>WALTER LEO PERSON</del>	<del>185 GALLATIN ST.</del>
<del>Carlos Gomez</del>	<del>Carlos Gomez</del>	<del>127 GALLATIN ST. Apt 907</del>
<del>Miguelina Gomez</del>	<del>Miguelina Gomez</del>	<del>127 GALLATIN ST. Apt 907</del>
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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

**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 Richards</i>	Pedro Richards	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 Oleaga</i>	Israella Oleaga	180 LINWOOD AVE
<i>Patricia del Bato</i>	Patricia del Bato	162 LINWOOD AVE
<i>Edgar Ferra</i>	Edgar Ferra	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.

Edmond D. Espinal  
 Signature  
191 LINWOOD AVE PROV. 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

SHA 9/24/2017  
 Notary Public

**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  
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,

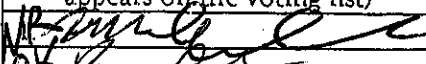
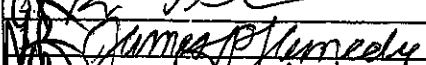

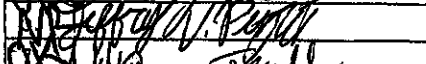
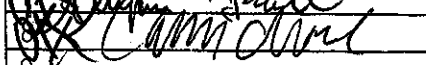
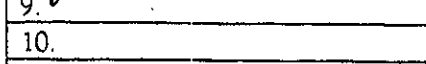

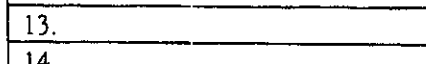
(ii) Liquidated damages in an additional equal amount, doubling the damages in subsection (i), unless if the employer shows that the act or omission giving rise to such action was in good faith and that it had reasonable grounds for believing that its act or omission was not a violation.

(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.

(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 Trull	27 Maplenurst Ave Providence 02908
	Rhym Crmichael	14 Grant St. PVD 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  
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**

10

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 PASSERS  
& REGISTRATION  
2014 APR 11 P 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 1, 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>	WILLIE ZABALA JR	170 Benedict St
<i>[Signature]</i>	Henry Robinson	170 Benedict St 206
<i>[Signature]</i>	Angel Pizarro	170 Benedict St 207
<i>[Signature]</i>	Jose Rodriguez	170 Benedict St Apt 511
<i>[Signature]</i>	Theresa Miralanda	170 Benedict St Apt 106
<i>[Signature]</i>	Mary Robinson	170 Benedict Apt 314
<i>[Signature]</i>	Shadyr Brito Castillo	170 Benedict St Apt 315
<i>[Signature]</i>	Maria Hilaro	170 BENEDEC ST 310
<i>[Signature]</i>	<del>XXXXXXXXXXXXXXXXXXXX</del>	<del>XXXXXXXXXXXXXXXXXXXX</del>
<i>[Signature]</i>	FLA QUIRK	170 Benedict St
<i>[Signature]</i>	Irving White	170 Benedict St
<i>[Signature]</i>	DONALD GYRT	170 BENEDEC ST
<i>[Signature]</i>	<del>XXXXXXXXXXXXXXXXXXXX</del>	<del>185 BENEDEC ST</del>
<i>[Signature]</i>	Fela Goulas	160 Benedict St
<i>[Signature]</i>	Orto Valenzuela	170 Benedict St apt 101
<i>[Signature]</i>	170 Benedict St Apt 601	Elba Ocasio
<i>[Signature]</i>	170 Benedict St #301	
<i>[Signature]</i>	Ramon Luna	170 Benedict St #305
<i>[Signature]</i>	Robert Llane	170 Benedict St #303
21. <i>[Signature]</i>	<i>[Signature]</i>	170 Benedict St #602
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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 18<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

**PETITION TO THE CITY COUNCIL**

3

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 PM 5:54

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, 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.

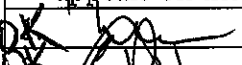


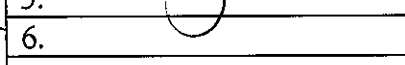


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(i) **Severability.**

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)
	MARTHA H. AMES	35 BOYLSTON AVE PROV
	Edith Pilkington	15 BOYLSTON AVE PROV
	DEBORAH NEWHAM	2 BENTON AVE PROV
	ELsie Jill Toback	40 BENTON AVE PROV
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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  
 Comm. 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, 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.

(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 Alano	101 Whittier Ave. Providence, RI 02909
	Kim Jeffy	362 Carpenter St. Providence, RI 02909
	Lucia Jaleguez	359 Carpenter St. Providence, RI 02909
	Hannah Cooper	359 Carpenter St. Apt. 303 Providence, RI 02909
	LARA FELPE	359 CARPENTER APT 303
	JACARITA EVAN	359 CARPENTER APT 303
	Emma River	359 Carpenter St. APT 321
	Hector Torres	359 Carpenter St. Apt. 317
	AMILCAR ARDI NO	359 Carpenter APT 318
	ARGENTINA PADILLA	359 CARPENTER APT 221
	MARIAN ROLES	359 CARPENTER APT 217
	FIGUEROA	359 CARPENTER
	ALBANIA GOMEZ	1111 WOOD ST. Providence, RI 02907
	John B. Perez	82 Adebida Ave. Providence, RI 02907
	Hilda L. Serrano	104 Mitchell St. Providence, RI 02907
	Isabel Alcantara	104 Mitchell St. Providence, RI 02907
	Xiomara Cruz	252 Hartford Ave. Providence, RI 02907
	MARIA DANCE	904 Cass Providence, RI 02907
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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  
2014 APR 11 PM 6:53

**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.

17nd

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>Luisa Maldonado</del>	<del>Luisa Maldonado</del>	<del>50 Randall St Apt 11A</del>
<del>OK</del> Amanda Beatry	Amanda Beatry	50 Randall Apt 4B
<del>OK</del> Sam Marshall	Sam Marshall	30 Randal Hill Apt 4C
<del>OK</del> David A. Herrera	David A. Herrera	50 Randall St Apt 6E
<del>OK</del> Janice Brady	JANICE BRADY	50 RANDALL ST Apt 6G
<del>OK</del> Cheyenne	CHEYENNE	50 RANDALL ST Apt 6S
<del>OK</del> LaTirica	LaTirica	30 Randal Hill Apt 7F
<del>OK</del> Nichole P. Wikcor	Nichole P. Wikcor	50 Randall St
<del>OK</del> Alexandra Maria Vasquez	ALEXANDRA MARIA VASQUEZ	141 OAK ST Apt 22
<del>OK</del> Lambert G. Nao	Lamberto G. Nao	141 OAK ST Apt 31
<del>OK</del> KLM Koetka	KLM Koetka	141 OAK ST Apt 33
<del>OK</del> Jesus Reyes	Jesus Reyes	141 Oak Street - A25
<del>OK</del> Shani M. Lovick	Shani M. Lovick	141 Oak St. A15
<del>OK</del> Aliya Zark	Aliya Zark	141 Oak St A-18
<del>OK</del> CARMEN QUINTANA	CARMEN QUINTANA	141 OAK ST Apt A22
<del>OK</del> DANIEL MALAVE	DANIEL MALAVE	141 OAK ST Apt A28
<del>OK</del> 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"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
RECORDS SECTION  
2010 APR 13 P 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.

(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> <del>Mina Osoyo</del>	<del>Mina Osoyo</del>	<del>20 Babcock St.</del>
<del>NO</del> <del>Laura Allen</del>	<del>Laura Allen</del>	<del>33 Babcock St.</del>
<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>Janet B. Brown</del>	JANET B. BROWN	100 Babcock St.
<del>Vera Gautieri</del>	Vera Gautieri	184 Babcock St.
<del>Carlos Davila</del>	CARLOS DAVILA	10 BERNARD ST. PROV
<del>Eva Davila</del>	Eva Davila	10 BERNARD ST. PROV
<del>CARTER BRAXTON</del>	CARTER BRAXTON	149 WARRINGTON ST.
<del>Valerie Hops</del>	VALEIE HOPS	191 WARRINGTON ST.
<del>Danilda Sanchez</del>	Danilda Sanchez	251 Warrington St Providence
<del>Jose Ross</del>	JOSE ROSS	251 Warrington St.
<del>Douglas Johnson</del>	Douglas Johnson	273 Warrington St.
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I, Murjann G. Parake, 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 G. Parake  
 Signature  
653 MITCHELL AVE. 2<sup>nd</sup> FL.  
 Address (Street & Number)  
PROV. R.I. 02909  
 City or Town

State of Rhode Island, 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"

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.**

*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.

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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.

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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>Wendy D. Evans</del>	<del>Wendy D. Evans</del>	<del>125 Congress Ave</del>
<del>John S. Silva</del>	<del>John S. Silva</del>	<del>128 Congress Ave</del>
<del>Julio Hernandez</del>	<del>Julio 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>200 Congress Ave</del>
<del>Melanie Medley</del>	<del>Melanie Medley</del>	<del>176 Congress Ave</del>
<del>Thelma M. Munez</del>	<del>Thelma M. Munez</del>	<del>95 Congress Ave</del>
<del>Arthur H. Williams</del>	<del>Arthur H. Williams</del>	<del>112 Congress Ave</del>
<del>Donna Vargas</del>	<del>Donna Vargas</del>	<del>72 Congress Ave</del>
<del>Ramona Fernandez</del>	<del>Ramona Fernandez</del>	<del>166 Congress Ave Prov R5</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>Debra J. Costa</del>	<del>Debra J. Costa</del>	<del>171 Porter St Prov</del>
<del>Hilda Estez</del>	<del>Hilda Estez</del>	<del>19855A Franklin Ave</del>
<del>Robert Williams</del>	<del>Robert Williams</del>	<del>1115 Broad St</del>
<del>Robert Williams</del>	<del>Robert Williams</del>	<del>1104 Broad St, Providence</del>
<del>Cathy Ziegler</del>	<del>Cathy Ziegler</del>	<del>639 Public St</del>
<del>Fiordaliza Villar</del>	<del>Fiordaliza Villar</del>	<del>300 Langdon St Providence</del>
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I, Thelene 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.

Thelene King  
Signature  
95 Congress Ave  
Address (Street & Number)  
Providence  
City or Town

State of Rhode Island  
PROVIDENCE, Sc.

Subscribed to me this 10 day of April

[Signature], 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:

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

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
2014 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.

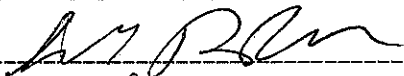
Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>NP</del> <del>[Signature]</del>	<del>JOSE Blentino</del>	<del>172 Gallatin St. Prov</del>
<del>OK</del> <del>[Signature]</del>	<del>Margarita Cruz</del>	<del>369 Montcalm St Providence</del>
<del>OK</del> <del>[Signature]</del>	<del>MARIA V. COLLADO</del>	<del>91 Byfield St Prov. RI 02905</del>
<del>OK</del> <del>[Signature]</del>	<del>MARIA E. FRANCO</del>	<del>31 SASSAFRAS ST PR.</del>
<del>OK</del> <del>[Signature]</del>	<del>ANTONIO ESPINOSA</del>	<del>43 SASSAFRAS ST 02907</del>
<del>OK</del> <del>[Signature]</del>	<del>SONIA VITTORIA</del>	<del>43 SASSAFRAS ST 02907</del>
<del>OK</del> <del>[Signature]</del>	<del>36 SASSAFRAS ST</del>	<del>RA MONA MEDIA</del>
<del>OK</del> <del>[Signature]</del>	<del>67 THACKERY ST</del>	<del>ROBERTO TORRES</del>
<del>OK</del> <del>[Signature]</del>	<del>SOLAN G. RAYNA</del>	<del>93 SASSAFRAS ST PROV</del>
<del>NO</del> <del>[Signature]</del>	<del>Christian Filpo</del>	<del>172 Bellevue ave, Providence</del>
<del>NO</del> <del>[Signature]</del>	<del>[Signature]</del>	<del>284 Chad Brown 02902</del>
<del>OK</del> <del>[Signature]</del>	<del>Charmar Garcia</del>	<del>8 Nebraska St. Apt 5 02905</del>
<del>OK</del> <del>[Signature]</del>	<del>Denise Bautista</del>	<del>97 SASSAFRAS ST 02905 Providence</del>
<del>OK</del> <del>[Signature]</del>	<del>JOSE CHAPMAN</del>	<del>155 Cranston 02907</del>
<del>OK</del> <del>[Signature]</del>	<del>117 SASSAFRAS ST</del>	<del>117 SASSAFRAS ST</del>
<del>OK</del> <del>[Signature]</del>	<del>74 SASSAFRAS ST</del>	<del>74 SASSAFRAS ST 02905</del>
<del>OK</del> <del>[Signature]</del>	<del>CARME REYES</del>	<del>112 SASSAFRAS ST 02907</del>
<del>OK</del> <del>[Signature]</del>	<del>Esteban Reyes</del>	<del>9 SAVINGS ST Prov. RI 02907</del>
<del>OK</del> <del>[Signature]</del>	<del>WILFRED C VARGAS</del>	<del>111 CORINTH ST PROV RI 02907</del>
<del>OK</del> <del>[Signature]</del>	<del>JOSE A. NUNEZ</del>	<del>39 CORINTH ST PROV. RI</del>
<del>OK</del> <del>[Signature]</del>	<del>Juan Miranda</del>	<del>75 Corinth St</del>
<del>NO</del> <del>[Signature]</del>	<del>SANDRA S. RIVAS</del>	<del>7 CADILLAC ST 02907</del>
<del>OK</del> <del>[Signature]</del>	<del>Rolando Nolasco</del>	<del>59 CORINTH - PROV 02907</del>
<del>NO</del> <del>[Signature]</del>	<del>Javier 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 16<sup>th</sup> day of April, A.D. 2014

Rosamond Anna Talbot  
Notary Public

My commission expires 4-4-16

**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 12:54

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>OK</del> <del>Chas Smith</del>	JACOBO SANTANA	369 MONTGOMERY AV. (D)
<del>OK</del> <del>Shirley Ann Casale</del>	SHIRLEY CASALE	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Valentina Marre</del>	VALENTINA MARRE	369 MONTGOMERY ST
<del>OK</del> <del>Shirley Ann Casale</del>	SHIRLEY CASALE	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>David Rivera</del>	DAVID RIVERA	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Jacqueline B. Duply</del>	JACQUELINE B. DUPLY	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Maria Henderson</del>	MARIA HENDERSON	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Isriat Miller</del>	ISRIAT MILLER	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Rachel Austin</del>	RACHEL AUSTIN	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Leo Schulte</del>	LEO SCHULTE	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Leo Schulte</del>	LEO SCHULTE	369 MONTGOMERY AVE. 4C
<del>OK</del> <del>Bernard Mendes</del>	BERNARD MENDES	9 MILK ST. PROR I
<del>OK</del> <del>Dismery Reyes</del>	DISMERY REYES	976 PRAIRIE AVE. PR
<del>OK</del> <del>Ronald McKay</del>	RONALD MCKAY	444 PUBLIC ST. PROR I
<del>OK</del> <del>Nikita McKay</del>	NIKITA MCKAY	444 PUBLIC ST. PROR I
<del>OK</del> <del>Victor Lozada</del>	VICTOR LOZADA	443 PUBLIC ST. PROR I
<del>OK</del> <del>Consuelo Carpa</del>	CONSUELO CARPA	443 PUBLIC ST. PROR I
<del>OK</del> <del>Luz Marte</del>	LUZ MARTE	26 PRISCILLA AVE. PROR I
<del>OK</del> <del>Tanya De Jesus</del>	TANYA DE JESUS	506 PUBLIC ST. PROR I
<del>OK</del> <del>Dulce Perez</del>	DULCE PEREZ	507 PUBLIC ST. PROR I
<del>OK</del> <del>Jacob K. Olukoya</del>	JACOB K. OLUKOYA	505 PUBLIC ST. PROR I
<del>OK</del> <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:

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

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 P 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.

(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.

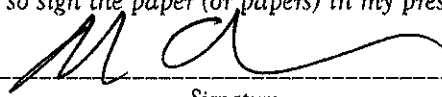
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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
<input checked="" type="checkbox"/> <del>Robert Dennis</del>	<del>David Haller</del>	<del>29 Bond Street</del>
<input checked="" type="checkbox"/> Remell Carter	Remell Carter	107 Bridgman St
<input checked="" type="checkbox"/> Josefa Morillo	Josefa Morillo	52 Tuxedo Av. Prov RI
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>3 Mowbray St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>9 TINKERMAN ST</del>
<input checked="" type="checkbox"/> <del>R. Odum</del>	<del>R. Odum</del>	<del>315 Elmwood Ave</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>276 Mt Pleasant</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>419 Academy Ave.</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>421 ACADEMY AVE</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>115 Tuxedo St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>72 Rosevale St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>199 Brian St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>22 Messer St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>205 Core Ave</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>72 Rosevale St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>101 Lottas St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>138 Wheeler</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>276 Mt. Pleasant Ave</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>209 Tux St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>22 Chapin Ave</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>120 Messer St</del>
<input checked="" type="checkbox"/> <del>John King</del>	<del>John King</del>	<del>54 Hudson St</del>
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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 DeFrancesco  
 Notary Public  
 Commission expires 10/19/16

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

#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, 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.

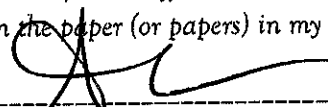
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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)
	GERTIE W. LAWSON	301 DISTRICT W. 12th
	JOHN S. SMITH	2011 CAMPBELL AVE.
	MIRIAM PICCIRILLI	229 California Ave Paw. RI.
	MARY FARRELL	233 California Ave
	SARAH DINEEN	251 California Ave
	P. GILBERT	266 California Ave
	DEBORAH SMITH	252 California Ave
	JOSE LOPEZ	237 California Ave
	LUCY CASALE	268 Indiana Ave
	JEFF HIGGINS	242 Indiana Ave
	SERGIO HERRERA	288 W. B. YORK AVE PROV. RI. 02905
	DIANA DILORE	296 New York Ave
	ANTONIO A. MCLEAN	326 New York Ave
	MARY ALBIZ	1275 Broad St Providence RI
	JEAN MARY CHARLES	242 OFFICE PARK - RI
	GISSELL MIESES	565 OHIO AVE
	BENNY D'ASENZA	81 Glenham St
	GREGORY ORTEGA	272 OHIO AV
	CARMEN TORRES-CABRERA	209 Vermont Ave
	DANA MCINNIS	223 Vermont Ave
	SEAN MCINNIS	223 Vermont Ave
	GLENNIS MATOS	237 Vermont Ave
	NANCY E. LOPEZ	254 VERMONT AVE.
	ALLEGRA HAZARD	246 VERMONT AVE.
	STEVEN C HAZARD	81 PAYTON ST
	ANDREA DELACRUZ	226 Vermont Ave
	BEVERLY MONTEIRO	218 VERMONT AVE
	BEVERLY MONTEIRO	218 VERMONT AVE

<del>01/15/20</del> 32.	SERVET DZBEK	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 5  
 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

Rosanne Anna Talbot  
 Notary Public  
 My term 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"

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,

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
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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, 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> <del>W. J. Vega</del>	<del>EIBA L. VEGA</del>	<del>213 LINWOOD AVE</del>
<del>OK</del> <del>Maria Pellegri</del>	<del>Maria Pellegri</del>	<del>103 28th Street</del>
<del>OK</del> <del>Helinda Felix</del>	<del>Helinda Felix</del>	<del>316 Elmwood Ave</del>
<del>OK</del> <del>Aniela Felix</del>	<del>Aniela Felix</del>	<del>20 Grand St</del>
<del>OK</del> <del>Patricia Polanco</del>	<del>Patricia Polanco</del>	<del>20 Grand St</del>
<del>OK</del> <del>Patricia Polanco</del>	<del>Patricia Polanco</del>	<del>20 Grand St</del>
<del>OK</del> <del>Jose B. Rodriguez</del>	<del>Jose B. Rodriguez</del>	<del>540 Dexter St</del>
<del>OK</del> <del>Anna Garcia</del>	<del>Anna Garcia</del>	<del>20 Grand St</del>
<del>OK</del> <del>Luz Burgos</del>	<del>Luz Burgos</del>	<del>20 Grand St</del>
<del>OK</del> <del>Blanca Mejia</del>	<del>Blanca Mejia</del>	<del>20 Grand St</del>
<del>OK</del> <del>Juan F. Ortiz</del>	<del>JUAN FORTI</del>	<del>20 Grand St</del>
<del>OK</del> <del>Antonio Diaz</del>	<del>Antonio Diaz</del>	<del>20 Grand St</del>
<del>OK</del> <del>Cristina A. Joaquin</del>	<del>CRISTINA A JOAQUIN</del>	<del>20 Grand St</del>
<del>OK</del> <del>Heather Marchant</del>	<del>HEATHER MARCHANT</del>	<del>20 Grand St</del>
<del>OK</del> <del>Eladik</del>	<del>Eladik</del>	<del>20 Grand St</del>
<del>OK</del> <del>Jasmine Luna</del>	<del>Jasmine Luna</del>	<del>20 Grand St</del>
<del>OK</del> <del>Dominica Ortiz</del>	<del>Dominica Ortiz</del>	<del>20 Grand St</del>
<del>OK</del> <del>Maria Torres</del>	<del>Maria Torres</del>	<del>107 Abbott St</del>
<del>OK</del> <del>Michelle Torres</del>	<del>Michelle Torres</del>	<del>20 Grand St</del>
<del>OK</del> <del>Candida Hall</del>	<del>CANDIDA HALL</del>	<del>20 Grand St</del>
<del>OK</del> <del>Rosa Alvarez</del>	<del>ROSA ALVAREZ</del>	<del>20 Grand St</del>
<del>OK</del> <del>Anania Turbida</del>	<del>Anania Turbida</del>	<del>20 Grand St</del>
<del>OK</del> <del>Rosa Puccio</del>	<del>ROSA PUCCIO</del>	<del>20 Grand St</del>
<del>OK</del> <del>Sabel Mena</del>	<del>Sabel Mena</del>	<del>20 Grand St</del>
<del>OK</del> <del>Norma I. Hernandez</del>	<del>Norma I. Hernandez</del>	<del>20 Grand St</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 Rand St APT 415

Address (Street & Number)

Providence 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

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Michael Hay

Notary Public

**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  
CITY REGISTRATION  
2014 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,

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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)
<input checked="" type="checkbox"/> Milton Rodriguez	Milton Rodriguez	100 Atwells APT 205
<input checked="" type="checkbox"/> ISRAEL EZ	Israel Fuentes	157 Willow St
<input checked="" type="checkbox"/> Zoila G. Segura	Zoila G. Segura	73 Hagen St. Prov. R.I. 02904
<input checked="" type="checkbox"/> <del>Yvonne H. Hernandez</del>	<del>Yvonne H. Hernandez</del>	<del>500 E. Kissner</del>
<input checked="" type="checkbox"/> Maria Ventura	MARIA VENTURA	159 Bridgman St.
<input checked="" type="checkbox"/> <del>Benedicto Vazquez</del>	<del>Benedicto Vazquez</del>	<del>359 Carpenter St</del>
<input checked="" type="checkbox"/> <del>Moises M.</del>	<del>Moises M.</del>	<del>335 Half St. A13</del>
<input checked="" type="checkbox"/> Julia del Giudice	Julia del Giudice	1 Valley St Prov. R.I. 02909
<input checked="" type="checkbox"/> Wanda M. Lopez	Wanda M. Lopez	1 Valley St Prov. R.I. 02909 Apt 609
<input checked="" type="checkbox"/> <del>Jason Suarez</del>	<del>Jason Suarez</del>	<del>65 Beechwood Ave</del>
<input checked="" type="checkbox"/> <del>MARIA V. REOVA</del>	<del>MARIA V. REOVA</del>	<del>8 West Clifford St Prov. R.I. 02907</del>
<input checked="" type="checkbox"/> <del>Ma Juana Lebron</del>	<del>Ma Juana Lebron</del>	<del>1 Valley St RI</del>
<input checked="" type="checkbox"/> <del>Eugracia Concepcion</del>	<del>Eugracia Concepcion</del>	<del>79 Florence RI 02909</del>
<input checked="" type="checkbox"/> <del>Eda M. Castillo</del>	<del>Eda M. Castillo</del>	<del>15 McLaughlin St. RI 02907</del>
<input checked="" type="checkbox"/> <del>Esmeralda Espinel</del>	<del>Esmeralda Espinel</del>	<del>189 Potter Ave. Prov. RI</del>
<input checked="" type="checkbox"/> <del>Aracelis Santana</del>	<del>Aracelis Santana</del>	<del>300 Rogers St. Providence</del>
<input checked="" type="checkbox"/> <del>Cecilia A. Cerman</del>	<del>Cecilia A. Cerman</del>	<del>64 1/2 E. Fox Prov. 02909</del>
<input checked="" type="checkbox"/> <del>Angelito M. Cere</del>	<del>Angelito M. Cere</del>	<del>1507th APT 725-02903</del>
<input checked="" type="checkbox"/> <del>MATILDE GORPORAN</del>	<del>MATILDE GORPORAN</del>	<del>28 Harris Ave APT 425</del>
<input checked="" type="checkbox"/> <del>Amoria Reynoso</del>	<del>Amoria Reynoso</del>	<del>1 Cadillac Dr. Prov.</del>
<input checked="" type="checkbox"/> Alejandro Espinal	Alejandro Espinal	157 Wendel St. E. RI
<input checked="" type="checkbox"/> Rosa Lisa Rodriguez	Rosa Lisa Rodriguez	10 George St. Pawtucket, RI
<input checked="" type="checkbox"/> ROSA CHALAS	ROSA CHALAS	1 Cadillac APT 614
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I, He PE NA, 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.

He PE NA  
Signature

Address (Street & Number)  
20 KELLEY ST APT 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 Tibbo  
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:

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ORDINANCE TO INCREASE SPENDING IN OUR  
COMMUNITIES"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 1 P 12:50

Providing as follows:

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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.

*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.

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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>	DEBRA SILBERT	50 PRAIRIE AVE Providence #216
<i>[Signature]</i>	Chante Coolen	50 PRAIRIE AVE APT 510
<i>[Signature]</i>	HAKEE ACOSTA	50 PRAIRIE AVE #627
<i>[Signature]</i>	Kevin Johnson	80 Oxford St
<i>[Signature]</i>	RAIPH L. TAYLOR JR.	290 Dudley St 2nd Floor
<i>[Signature]</i>	RICHARD PERAZZINI	50 PRAIRIE AVE APT 412
<i>[Signature]</i>	MANUEL GOMEZ	50 PRAIRIE AVE. PROVIDENCE, RI. APT 413
<i>[Signature]</i>	SOLEDAD CORREA	50 PRAIRIE AVE APT 411
<i>[Signature]</i>	MARIA CORREA	50 PRAIRIE AVE APT 411
<i>[Signature]</i>	Miladys Morel	50 PRAIRIE AVE APT 411
<i>[Signature]</i>	Celeste Garcia de Napron	50 PRAIRIE AVE APT 316
<i>[Signature]</i>	MARCELINA FLANDEZ	50 PRAIRIE AVE APT 322
<i>[Signature]</i>	Randy Nilon	1000 Priscilla Ave
<i>[Signature]</i>	Susan DALY	4 William Ellery Plc 22904
<i>[Signature]</i>	ROBIN L. COLVIN	175 WOOD ST #3 Providence, R.I. 02909
<i>[Signature]</i>	JOANNA M. LAPAZOLA	2 Netep Drive Providence, R.I. 02909
<i>[Signature]</i>	GIOVANNA DANTZ	30 HAGON AVE APT 101
<i>[Signature]</i>	Barbara Ferra	30 Hagon Ave
<i>[Signature]</i>	PAUL DE RALDO	30 Hagon Ave
<i>[Signature]</i>	MARK JONES	40 LEANDER ST 101
<i>[Signature]</i>	JOYCE BULLOCK	40 LEANDER ST 104
<i>[Signature]</i>	MARLENE GREENIDGE	40 LEANDER ST 214
<i>[Signature]</i>	Enoe CORA	40 LEANDER ST AVE
<i>[Signature]</i>	PATRICK BLINX	40 LEANDER ST #116
<i>[Signature]</i>	TOM FLOREMB	40 LEANDER ST #113
<i>[Signature]</i>	CARLOS ORTIZ	40 LEANDER ST
<i>[Signature]</i>	Regina Tagarora	40 LEANDER ST
<i>[Signature]</i>	Jackie Brown	40 LEANDER ST
<i>[Signature]</i>	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 Jones Talbot  
Notary Public

My commission expires  
4. 4. 16

**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,

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
APR 11 PM 2:53

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.



(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>Maria Fajardo</i>	MARIA FAJARDO	200 Gordon 204
<i>ana fajardo</i>	ANA FAJARDO	200 Gordon 205
<i>Carla J. Johnson</i>	CARLA J. JOHNSON	200 Gordon 208
<i>Carla Skinner</i>	CARL SKINNER	200 Gordon Ave #212
<i>Carmen Moreno</i>	C. A. M. Carmen Moreno	200 Gordon 213
<i>Raul Hernandez</i>	RAUL HERNANDEZ	20 Gordon Ave #214
<i>Cleotilde Hernandez</i>	Cleotilde HERNANDEZ	200 GORDON AVE APT 214
<i>Ruben Nieves</i>	RUBEN NIEVES	200 GORDON AVE 216
<i>Ida O. Nieves</i>	IDA O. NIEVES	200 Gordon Ave 217
<i>Nidia Rodriguez</i>	Nidia Rodriguez	200 Gordon Ave APT 310
<i>John D. Los</i>	John D. LOS	200 Gordon 311
<i>Anna Mae Wilson</i>	ANNA MAE WILSON	200 Gordon Ave 314
<i>Hilda Oyola</i>	Hilda OYOLA	200 - 1301 4072-4401
<i>Freddy Oyola</i>	Freddy OYOLA	200 Gordon Ave 406
<i>Melba Hernandez</i>	MELBA HERNANDEZ	200 Gordon Ave APT 406
<i>Silvia Tanier</i>	SILVIA TANIERS	200 GORDON AVE APT 501
<i>Maria Alvarez de R.</i>	Maria Alvarez de R.	200 Gordon Ave APT 501
<i>Exio H. Cabreja</i>	Exio H. Cabreja	200 GORDON AVE 507
<i>Melvin R. Boyd</i>	Melvin R. BOYD	200 Gordon Ave APT 607
<i>Margaret Johnson</i>	MARGARET JOHNSON	200 Gordon Ave 609
<i>Michelle Johnson</i>	MICHELLE JOHNSON	1 Narvana Street APT 1
<i>Robertson Bobby</i>	ROBERTSON BOBBY	200 Gordon Ave
<i>Zaira M. Betances</i>	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 Talbot  
 Notary Public

My commission expires 4-4-16

**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  
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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)
<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 B</del>
<del>Don B. Butler</del>	<del>DONALD BUTLER</del>	<del>50 RANDALL ST. APT 8F</del>
<del>Taimika Mason</del>	<del>Taimika Mason</del>	<del>50 RANDALL ST APT 8F</del>
<del>Waverly A. Lee</del>	<del>Waverly A. Lee</del>	<del>50 RANDALL ST APT 8F</del>
<del>Leonie Vygodner</del>	<del>Leonie Vygodner</del>	<del>50 RANDALL ST APT 8F</del>
<del>Anna Vygodner</del>	<del>Anna Vygodner</del>	<del>50 RANDALL ST APT 8F</del>
<del>Mary E. Ryan</del>	<del>MARY E. RYAN</del>	<del>50 RANDALL ST APT 8F</del>
<del>Natividad R. Morales</del>	<del>Natividad R. Morales</del>	<del>50 RANDALL ST APT 8F</del>
<del>Willard Allen</del>	<del>WILLARD ALLEN</del>	<del>50 RANDALL ST 76</del>
<del>Thomas Teixeira</del>	<del>Thomas Teixeira</del>	<del>136 W. Hill St Providence</del>
<del>Dylan Paine</del>	<del>Dylan Paine</del>	<del>136 W. Hill St Providence</del>
<del>Makya O. Toh</del>	<del>Makya O. Toh</del>	<del>153 Hudson St Providence</del>
<del>Paul Klumpke</del>	<del>Paul Klumpke</del>	<del>119 Hudson St #2</del>
<del>Amanda Haller</del>	<del>Amanda Haller</del>	<del>115 Hudson</del>
<del>DORCAS HALLER</del>	<del>DORCAS HALLER</del>	<del>115 HUDSON</del>
<del>Li. Bro</del>	<del>Li. Bro</del>	<del>51.2500</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>Seahurst Hester</del>	<del>Seahurst Hester</del>	<del>77 Hudson St, Prov R.I.</del>
<del>Alma Allen</del>	<del>Alma Allen</del>	<del>Alma Allen</del>
<del>Macey Hellenell</del>	<del>MACEY HELLENELL</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 R.I. 02909</del>
<del>Chas Fragile</del>	<del>Chas Fragile</del>	<del>74 Willow St Prov 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:

"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  
APR 1 12:52

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.

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.

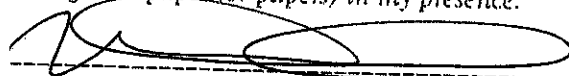
Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
<del>NO</del> <del>James R. H.</del>	<del>James R. H.</del>	<del>81 Congress Ave Providence, 02907</del>
<del>NO</del> <del>Yvonne Montes</del>	<del>Yvonne Montes</del>	<del>30 HAGAN ST PROV, RI</del>
<del>NO</del> <del>Daniel Colon</del>	<del>DANIE COLON</del>	<del>30 HAGON ST 105</del>
<del>NO</del> <del>Raven McAninch</del>	<del>Raven McAninch</del>	<del>30 HAGAN ST 105</del>
<del>NO</del> <del>Steve Markovitz</del>	<del>Steve Markovitz</del>	<del>22 Memorial Rd.</del>
<del>NO</del> <del>NICHOLAS CARTER</del>	<del>NICHOLAS CARTER</del>	<del>22 Memorial Rd.</del>
<del>NO</del> <del>Madelin M Ray</del>	<del>MADELINE M RAY</del>	<del>18 HUDSON ST APT 2</del>
<del>NO</del> <del>Nicholas Hallstrom</del>	<del>Nicholas Hallstrom</del>	<del>97 PARADE ST, PROV RI</del>
<del>NO</del> <del>Norlan Olivo</del>	<del>Norlan Olivo</del>	<del>44 Hudson St #1</del>
<del>NO</del> <del>ADRIAN RANDALL</del>	<del>ADRIAN RANDALL</del>	<del>131 Washington St 02903</del>
<del>NO</del> <del>SUSAN BEATTY</del>	<del>SUSAN BEATTY</del>	<del>131 MOORE ST, 02907</del>
<del>NO</del> <del>SUSAN BEATTY</del>	<del>SUSAN BEATTY</del>	<del>109 PRINCETON AVE 02907</del>
<del>NO</del> <del>Michaela Connors</del>	<del>Michaela Connors</del>	<del>445 OAK ST 02909</del>
<del>NO</del> <del>Lisa Wilkerson</del>	<del>Lisa Wilkerson</del>	<del>50 Carolina Ave 02905</del>
<del>NO</del> <del>Maura Lopez</del>	<del>Maura Lopez</del>	<del>37 Harvard Ave 02907</del>
<del>NO</del> <del>Daniella Ben-Bassak</del>	<del>Daniella Ben-Bassak</del>	<del>145 Alverton Ave 02909</del>
<del>NO</del> <del>Daniella Ben-Bassak</del>	<del>Daniella Ben-Bassak</del>	<del>16 Pallas St 02903</del>
<del>NO</del> <del>Brewer Blawie</del>	<del>Brewer Blawie</del>	<del>445 Broadway 02909</del>
<del>NO</del> <del>Cejda Roman</del>	<del>Cejda Roman</del>	<del>359 Carpenter St 119</del>
<del>NO</del> <del>GUERREDO Roman</del>	<del>GUERREDO Roman</del>	<del>359 CARPENTER ST. 117</del>
<del>NO</del> <del>ANAD, LUCIANO</del>	<del>ANAD, LUCIANO</del>	<del>359 CARPENTER ST 117</del>
<del>NO</del> <del>Martha D. Mengua</del>	<del>Martha D. Mengua</del>	<del>359 Carpenter St 112</del>
<del>NO</del> <del>MC UJANIA</del>	<del>MC UJANIA</del>	<del>359 Carpenter St 105</del>
<del>NO</del> <del>Virginia Colon</del>	<del>Virginia Colon</del>	<del>359 Carpenter St #209</del>
<del>NO</del> <del>Sabra SANYOK</del>	<del>Sabra SANYOK</del>	<del>359 Carpenter St</del>

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I, Victoria Pulz, 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.



81 Congress

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**

26

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 APR 11 P 12:58  
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>	<i>[Signature]</i>	993 Manton Ave
<i>[Signature]</i>	<i>[Signature]</i>	993 Manton Ave
<i>[Signature]</i>	RICHARD CAÑEVALLE	993 MANTON AV.
<i>[Signature]</i>	ENRIQUE GONZALEZ	993 MANTON AVE 512
<i>[Signature]</i>	JOHN O'NEIL	150 PRAIRIE AVE #526
<i>[Signature]</i>	Michael Parker	50 PRAIRIE AVE #526
<i>[Signature]</i>	D & D. R. L. A. G. A. L.	50 PRAIRIE AVE #526
<i>[Signature]</i>	Nephele A. SERRANO	50 PRAIRIE AVE #526
<i>[Signature]</i>	Shirley McMorris	50 PRAIRIE AVE apt 311
<i>[Signature]</i>	Nilda Santiago	50 PRAIRIE AVE #212
<i>[Signature]</i>	Joyce Buchanan	50 PRAIRIE AVE apt 111
<i>[Signature]</i>	Vinola Buchanan	50 PRAIRIE AVE #111
<i>[Signature]</i>	JULIA FRANCIS	50 PRAIRIE AVE #113
<i>[Signature]</i>	Elizabeth Og	80 CURTIS ST #617
<i>[Signature]</i>	Patricia R. R.	80 CURTIS ST #606
<i>[Signature]</i>	Lorraine Wood	80 CURTIS ST #602
<i>[Signature]</i>	RICHARD HAITT	80 CURTIS ST #602
<i>[Signature]</i>	ARACELIS S. A. R. E. D. O.	80 CURTIS ST #513
<i>[Signature]</i>	TEOFILA VELOZ	80 CURTIS ST #415
<i>[Signature]</i>	ROBBY TORRES	80 CURTIS ST #403
<i>[Signature]</i>	EDY S. HERNANDEZ	80 CURTIS ST #403
<i>[Signature]</i>	Jacqueline Dorley	80 CURTIS ST #403
<i>[Signature]</i>	Angel Hernandez	8 Elmdale Ave Prov
<i>[Signature]</i>	<i>[Signature]</i>	80 CURTIS ST
<i>[Signature]</i>	PATRICIA C. A. D. A. R. A.	80 CURTIS ST apt 216
<i>[Signature]</i>	Yvonne Herrera	80 CURTIS ST apt 313
<i>[Signature]</i>	Noemi Martinez	80 CURTIS ST apt 109
<i>[Signature]</i>	Luis Burgos	38 MANNING ST apt 6
<i>[Signature]</i>	James Davis	

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I, MIRJAAN 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.

Mirjaan 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

Rosamond Anne 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 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, 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)
NO 1.		
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OK Dorothy Brant	Dorothy Brant	50 Randall St #2B
OK Klichovskaya	Klichovskaya	50 Randall St 2F
OK Joseph Silva	Joseph Silva	50 RANDALL ST 21
OK Maria Sierra	Maria Sierra	50 RANDALL ST 3B
OK Ricardo Concepcion	Ricardo Concepcion	50 Randall St 3A
OK Charles Butler	Charles Butler	50 Randall St 3C
OK Maria Mota	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. Velez  
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:

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Providing as follows:

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CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

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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.

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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:

(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.

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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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(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>OK [Signature]</del>	PEDRO F. MARQUEZ	8 ATLANTIC AVE 2 PISO
<del>OK [Signature]</del>	SANTIAGO CUEZADA	158 Sander
<del>OK [Signature]</del>	SANTIAGO TORRES	30 WASHINGTON ST.
<del>OK [Signature]</del>	R. Leoncia	martes r.
<del>OK [Signature]</del>	ARCELIO RODRIGUEZ	243 SMITH ST 243
<del>OK [Signature]</del>	ROSA RAMOS	243 SMITH ST 243
<del>OK [Signature]</del>	JOHNNY ROSARIO	735 POTTERS AVE
<del>OK [Signature]</del>	WELLINGTON RAMIREZ	243 SMITH ST
<del>OK [Signature]</del>	Jose M. Rodriguez	243 Smith 607
<del>OK [Signature]</del>	AMARILIS RODRIGUEZ	383 Blackstone St
<del>OK [Signature]</del>	Angela Galuska	99 Dixon St. 1
<del>OK [Signature]</del>	Her Norman	33 Dixon St. 1
<del>OK [Signature]</del>	RAFAEL A. COLON	1176 ELWOOD AVE 1
<del>OK [Signature]</del>	Susan Lambert	1174 Elmwood Ave 3
<del>OK [Signature]</del>	Joseph Medeiros	1174 Elmwood Ave 3
<del>OK [Signature]</del>	Julio Galvan	1158 Elmwood Ave. Ma
<del>OK [Signature]</del>	Miguel Galvan	1158 Elmwood Ave. Ma
<del>OK [Signature]</del>	LINDA LANGBORN	30 POTTER DRIVE
<del>OK [Signature]</del>	Alexis Peguero	54 STAMFORD AVE.
<del>OK [Signature]</del>	ERIN HANCO	30 Stamford Ave.
<del>OK [Signature]</del>	Barbara Karina Lutz	1 Hamlin St. Prov RI 02907
<del>OK [Signature]</del>	James Tull	1 Hamlin St. Prov, RI 02907
<del>OK [Signature]</del>	ISABEL DURANTE	49 HAMLIN STREET
<del>OK [Signature]</del>	Jillian Robinson	45 Hamlin Street
<del>OK [Signature]</del>	Florencia	725 Governor St
<del>OK [Signature]</del>	Kennedy Ant Aviles	423 Madison St Prov RI 02907
<del>OK [Signature]</del>	Belkis Alvarado	379 Potters Ave; Prov, RI 02907
<del>OK [Signature]</del>	Karla Castillo	381 Potters Ave. Prov RI 02907

Karla Castillo

✓ 34. <del>OK</del> <i>[Signature]</i>	Caminante Santiago	28 Saint James St Prov. RI
✓ 35. <del>OK</del> <i>[Signature]</i>	Sahumi Ciprian	381 POTTERS AVE, PROV. RI 02907
✓ 36. <del>OK</del> <i>[Signature]</i>	Andrew Gonzalez	14 Bydell Ave Apt 3, PROV. RI 02909
✓ 37. <del>OK</del> <i>[Signature]</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, A.D. 20 14  
Notary Public  
Com exp 3/31/14

**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"

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.

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)
<i>[Signature]</i>	EUGENIO BORLE	301 Cranston St Apt 224
<i>[Signature]</i>	ANTONIO SANCHEZ	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>	MARLENE KUNZE	302 870 Broad St 302
<i>[Signature]</i>	FREDDERICK ENCARNACION	301 Cranston St #105 Prov
<i>[Signature]</i>	Julian ESPINAL	301 Cranston St #B18
<i>[Signature]</i>	Janillette Acevedo	33 Chambers St 1st Fl Prov R
<i>[Signature]</i>	Carmen L. Rungel	301 Cranston St #308
<i>[Signature]</i>	ROLANDO MENDEZ	301 Cranston St 326
<i>[Signature]</i>	Vicente Vinas	301 Cranston St Apt 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>	STEVE WATKINS	301 Cranston Apt 105
<i>[Signature]</i>	KEVIN DAWKINS	301 Cranston Apt 101
<i>[Signature]</i>	Heaven Shepherd	301 Cranston Apt 102
<i>[Signature]</i>	Herbert Anderson	301 Cranston St Apt 114
<i>[Signature]</i>	Mac Spar	301 Cranston St
<i>[Signature]</i>	JENNIFER WILB	301 Cranston St
<i>[Signature]</i>	PIERRE-MARIE WILB	301 Cranston St
<i>[Signature]</i>	Darren Mitchell	2 Dixon St Prov RI
<i>[Signature]</i>	ROBERT LAYTON	2607 NORTHERN AVE
<i>[Signature]</i>	Hubert HARRIS	231 Alabama Ave Prov. R 02905
<i>[Signature]</i>	Eddie B. Harris	246 Alabama Ave Prov. R 02905
<i>[Signature]</i>	Providence R	246 Alabama Ave Prov. R 02905
<i>[Signature]</i>	Jennifer Calderon	240 Massachusetts Ave Providence
<i>[Signature]</i>	Harold Chavez	295 Massachusetts Ave Prov 02905
<i>[Signature]</i>	HENRY CHAVEZ	295 MASS. AVE. PROV. R. 02905

<del>36.</del>	<del>Blue Chavez</del>	<del>Lone Chavez</del>	<del>295 Massachusetts Ave</del>
<del>37.</del>	<del>Rosa Chavez</del>	<del>Rosa Chavez</del>	<del>295 Massachusetts Ave.</del>
<del>38.</del>	<del>Michael Styr</del>	<del>Michael Styr</del>	<del>5 Dixon St</del>
<del>39.</del>	<del>Nakia Holloway</del>	<del>Nakia Holloway</del>	<del>44 Hamlin St.</del>
<del>40.</del>	<del>Charlie Perez</del>	<del>Charlie Perez</del>	<del>43 Briscilla Av.</del>
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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 17<sup>th</sup> day of APRIL, A.D. 2014

My Commission Expires on  
12-23-16

Juan J. Valde  
Notary Public

**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:

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

2014 APR 1 11:25:52  
CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION

Providing as follows:

*Be it Ordained by the City of Providence:*

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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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(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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**(e) Effective Dates**

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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:


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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.

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.

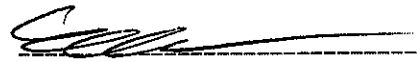
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41. <del>Human Gonzalez</del> 610	Miriam Gonzalez	100 Broad St. Apt 10
42. <del>Jonathan H. Russell</del>	Jonathan H. Russell	#25 100 Broad St. Providence 02903
43. <del>Lauro D. Andino</del>	Lauro D. Andino	629 100 Broad St. Providence 02903
44. <del>Felix Pasols</del>	Felix Pasols	100 Broad St. Apt 230
45. <del>ERRY KING</del>	ERRY KING	100 Broad St. Apt 216
46. <del>Alice Steele</del>	Alice Steele	100 Broad St. Providence 02903
47. <del>Cecilia Fernandez</del>	Cecilia Fernandez	100 Broad St. Providence 02903
48. <del>Erik L. Rivera</del>	Erik L. Rivera	100 Broad Providence 02903
49. <del>Nicole Brice</del>	Nicole Brice	100 Broad St. Apt 800
50. <del>Jose Rodriguez</del>	Jose Rodriguez	100 Broad St. Apt 815
51. <del>Monica de Leon</del>	Monica de Leon	100 Broad St. 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  
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

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

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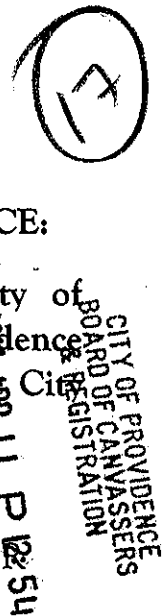
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**(c) Minimum Wage**

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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

(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.

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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>OK</del> DANARIS SEGURA	DANARIS SEGURA	15 Pleasant Ct Prov. RI 02906
<del>OK</del> PABLO SEGURA	PABLO SEGURA	15 Pleasant St. Prov. RI 02906
<del>OK</del> ONESIMO CARABALLO	ONESIMO CARABALLO	191 CRANTON ST. APT. 28E Prov. 02907
<del>OK</del> JOSE DE JESUS	JOSE DE JESUS	1 Putnam St 1 floor 02909
<del>OK</del> EDUARDA FIGUEROA	EDUARDA FIGUEROA	1 Putnam St 1 floor 02909
<del>OK</del> ESTEBAN SIMONE	ESTEBAN SIMONE	72 Appleton St 02909
<del>OK</del> MADELINE SIMONE	MADELINE SIMONE	72 Appleton St 02909
<del>OK</del> DANESA FRANCISKA	DANESA FRANCISKA	AVIRID ST. NO. PROV. 02904
<del>OK</del> THUMINACK	THUMINACK	106 Forest Ave
<del>OK</del> ERICK BILMOS	ERICK BILMOS	98 Chestnut Hill Ave Cranston RI 02906
<del>OK</del> FLORE DELA ROSA	FLORE DELA ROSA	87 Decennial Dr. Cranston RI
<del>OK</del> ARGENTINA LARA	ARGENTINA LARA	97 97 Hilary St Prov. RI 02909
<del>OK</del> CARLOS LARA	CARLOS LARA	97 Hilary St 02909
<del>OK</del> EILEEN ARMONTE	EILEEN ARMONTE	20 Archer Ave. Johnston RI 02919
<del>OK</del> LARA GARCIA	LARA GARCIA	18 Mercy St Prov.
<del>OK</del> MELANIE VALLE	MELANIE VALLE	20 CYM ST PROV. RI
<del>OK</del> MIRIAM REYES	MIRIAM REYES	508
<del>OK</del> EDGOT R SIPAGE	EDGOT R SIPAGE	616 Lewis form R. Coventry 02729
<del>OK</del> MARY JORGE	MARY JORGE	63 Ortolera Dr. Prov. RI 02909
<del>OK</del> MINA REYES	MINA REYES	1400 Broad Street 02905
<del>OK</del> ELAINE MARTINEZ	ELAINE MARTINEZ	96 HighShood Ave
<del>OK</del> MARIA SALAZAR	MARIA SALAZAR	163 Niagara St Prov.
<del>OK</del> OSMELIS BRILLON	OSMELIS BRILLON	18 Archer Ave. Johnston
<del>OK</del> RUBENS BRILLON	RUBENS BRILLON	18 Archer Ave. Johnston RI
<del>OK</del> RAIZA SANCHEZ	RAIZA SANCHEZ	26 Clematis St. Providence
<del>OK</del> ERIN FRANCISCO	ERIN FRANCISCO	86 Carolina Ave
<del>OK</del> VILLAGROS PAULINO	VILLAGROS PAULINO	292 Manton Ave Prov. RI 02909
<del>OK</del> LEIDY DIAZ	LEIDY DIAZ	9 Sisson St Providence RI 02909

31. <del>Enrique Rodriguez</del>	Enrique Rodriguez	9 Sisson St. Bronx N.Y. 10460
32. <del>Maria Jimenez</del>	Jose Jimenez	299 Manton Ave.
33. <del>NOSABIDA</del>	<del>125</del> 9 Sisson.	
34. <del>Maria Jimenez</del>	Maria Almonte	9 Sisson St.
35. <del>Rosalia R.</del>	Rosalia R.	125 Clarence St.
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I, Carney 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.

Carney 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>Isabella R. Basarte</del>	Juana R. Basarte	80 Corinth St 1FL
<del>Julio Otero</del>	Julio Otero	196 Chapin Av 02909
<del>Robert Bello</del>	Robert Bello	212 CALIFORNIA AVE. 02905
<del>Silmo Cuioli</del>	Silmo Cuioli	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 CAHILL 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 Morel</del>	Andresey Morel	1331 Eddy St., Prov. RI 02903
<del>Prosper Bisano</del>	PROSPER BISANO	21 Detroit Ave Prov. RI 02907
<del>Navirga Nelson</del>	Navirga Nelson	27 Detroit Ave Prov. RI 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 02907
<del>Antonio E Suarez</del>	Antonio E Suarez	122 Miller Ave Prov RI 02905
<del>Anthony Torres</del>	Anthony Torres	448 Prairie Ave Prov RI 02903
<del>Julio Ortega</del>	Julio Ortega	232 OFFICE AVE. Prov. RI 02905
<del>Edibel Rodriguez</del>	Edibel Rodriguez	97 Princeton Av 02907
<del>Urkiana Mervin</del>	URKIANA MERVIN	3601 Smith St. 02905
<del>Luis A. Flores</del>	Luis A. Flores	243 Vernon Ave 02905
<del>Jaqueline Mad</del>	Jaqueline Mad	315 ELWOOD AVE 02907
<del>FRANK F. Sanchez</del>	FRANK F. Sanchez	1221 Elmwood Ave 02907
<del>Zina Brown</del>	Zina Brown	130 Severn St Prov 02904
<del>Ayilda Torres</del>	Ayilda Torres	217 Bolton St Prov RI 02905
<del>MANUELA JOURDAIN</del>	MANUELA JOURDAIN	1204 ELWOOD AVE. Prov. RI 02907
<del>ANA JOURDAIN</del>	ANA JOURDAIN	1264 Elmwood Ave RI 02907
<del>Jeanelle Gurner</del>	Jeanelle Gurner	99 Rugby St Providence

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38. <del>MANUEL L. LARREA</del>	<del>MANUEL LARREA</del>	514 Union Ave Providence	
39. MARIA JENOS	MARIA JENOS	99 Rugby St NYC	Providence 02905
40. <del>JOSE BONILLA</del>	<del>JOSE BONILLA</del>	2017 Kilders St Kpru	02905
41. <del>MILAGROS ACOSTA</del>	MILAGROS ACOSTA	285 Niagara St. AP 104	Providence 02905
42. <del>MARIA GARCIA</del>	MARIA GARCIA	99 Rugby St NYC	Providence 02905
43. <del>JUAN ROSARIO</del>	JUAN ROSARIO	99 Rugby St NYC	Providence 02905
44. <del>PHILIP MONTE</del>	PHILIP MONTE	285 Niagara St. AP 104	Providence 02905
45. <del>CARMEN ACOSTA</del>	CARMEN ACOSTA	99 Rugby St NYC	Providence 02905
46. <del>JOSÉ JENOS</del>	JOSÉ JENOS	99 Rugby St NYC	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 GROVE 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

Joseph R. Francis  
Notary Public  
 Commission expires 10/19/16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

35

**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.

(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	110 Broad Apt 231
<del>OK</del> Maria Dacula	Maria Dacula	100 Broad St 402
<del>OK</del> Marvin Johnson	Marvin Johnson	60 Bridgman St
<del>OK</del> Yris de Perez	Yris de Perez	100 Broad St. 426
<del>OK</del> Ivette Marengo	Ivette Marengo	100 Broad St APT 505
<del>OK</del> Maria Fark	MARIA FARK	100 Broad St 509
<del>OK</del> Ana Maria Nuna	Ana Maria Nuna	100 Broad 524
<del>OK</del> Awilda Perez	Awilda Perez	Whelan Rd 1PHH
<del>OK</del> Maiva Gons	Maiva Gons	100 Broad apt 532
<del>OK</del> Maria Jimenez	Maria Jimenez	100 Broad 30 A 1619
<del>OK</del> Diana Cegua	Diana Cegua	100 Broad 30 A 1619
<del>OK</del> Melinda Wines	Melinda Wines	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. PHOU. 02903633
<del>OK</del> Altagracia Gonzalez	Altagracia Gonzalez	100 Broad St. 02903718
<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 822
<del>OK</del> Gary Leach	GARY LEACH	100 Broad St 902
<del>OK</del> [Signature]	[Signature]	107 Webster Ave 4th Fl. RI
<del>OK</del> Nicida Bueno	Nicida Bueno	100 Broad St 910
<del>OK</del> [Signature]	[Signature]	100 Broad St 914
<del>OK</del> [Signature]	[Signature]	100 Broad St 1009
<del>OK</del> [Signature]	[Signature]	100 Broad St apt 1020

OK	JOANNA SILANO	JOANNA SILANO	100 Broad St Apt 10M
OK	CAROL PERRE	CAROL PERRE	670 N. MAIN ST Apt 2M
OK	Louise Dominy	Louise Dominy	670 North Main St
OK	Linda C. Burrows	Linda Burrows	670 North Main St
OK	Antonio Barr	Antonio Barr	670 N. Main #4R
OK	Lucille Koppke	Lucille Koppke	670 North Main. 4R
OK	Stephen A. Sullivan	Stephen A. Sullivan	670 N. Main 3A
OK	Samuel Minor	Samuel Minor	670 N. Main - 4S
OK	Patricia Rodriguez	Patricia Rodriguez	670 N. Main ST Apt 5-L
OK	Stephanie Costa	Stephanie Costa	670 N Main St CL 11 6B
OK	Stephanie Costa	Stephanie Costa	670 N Main St
44.			670 NORTH MAIN ST Apt 6A
45.			670 North 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

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**

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"

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 21 P 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.

(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>10</del> <del>1</del> <del>2</del> <del>3</del> <del>4</del> <del>5</del> <del>6</del> <del>7</del> <del>8</del> <del>9</del> <del>10</del> <del>11</del> <del>12</del> <del>13</del> <del>14</del> <del>15</del> <del>16</del> <del>17</del> <del>18</del> <del>19</del> <del>20</del> <del>21</del> <del>22</del> <del>23</del> <del>24</del> <del>25</del> <del>26</del> <del>27</del> <del>28</del> <del>29</del> <del>30</del> <del>31</del> <del>32</del> <del>33</del> <del>34</del> <del>35</del> <del>36</del> <del>37</del> <del>38</del> <del>39</del> <del>40</del> <del>41</del> <del>42</del> <del>43</del> <del>44</del> <del>45</del> <del>46</del> <del>47</del> <del>48</del> <del>49</del> <del>50</del> <del>51</del> <del>52</del> <del>53</del> <del>54</del> <del>55</del> <del>56</del> <del>57</del> <del>58</del> <del>59</del> <del>60</del> <del>61</del> <del>62</del> <del>63</del> <del>64</del> <del>65</del> <del>66</del> <del>67</del> <del>68</del> <del>69</del> <del>70</del> <del>71</del> 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CANADIANES 9		
32. <del>John (Cunha) F</del>	Enrique	20 KELLEY ST
33. <del>John (Cunha) F</del>	MOTIA CUNHA	707
34. <del>John (Cunha) F</del>		20 KELLEY
35. <del>Ricelis Peralta</del>	Ricelis PERALTA	602 - 20 KELLEY ST.
36. <del>Angelika Rosendo Dupuy</del>	Angelika ROSENDO DUPUY	20 KELLEY ST. APT 403
37. <del>Ana M. Pantajas</del>	Ana M. Pantojas	20 KELLEY ST. Apt 405
38. <del>Maria Alvaraz</del>	MARIA ALVARAZ	20 KELLEY ST. Apt 502
39. <del>Luis McKague</del>	LUS MCKAGUE	20 KELLEY ST. H504
40. <del>Antony Versillo</del>	ANTHONY VERSILLO	20 KELLEY #607
41. <del>Charles Montez</del>	Charles Montez	20 KELLEY #700
42. <del>John (Cunha) F</del>	John (Cunha) F	
43. <del>John (Cunha) F</del>	John (Cunha) F	
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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 APT 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-  
16

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

25

**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, 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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[illegible]

37.	<del>Eden Ferrer</del>	<del>1 Valley Street Providence RI 02909-1011</del>
38.	<del>Pablo Ojeda</del>	<del>1 Valley Providence RI 02909-1011</del>
39.	<del>FLORA LANDT</del>	<del>1 Valley 1106 #</del>
40.	<del>DELLA DEAN</del>	<del>1211 E 5th St RD 2</del>
41.	<del>DELLA DEAN</del>	<del>1211 E 5th St RD 2</del>
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I, Ian Georgianna, 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.

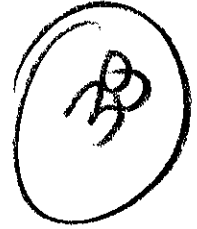
Ian Georgianna  
 Signature  
70 George St. 406  
 Address (Street & Number)  
Providence  
 City or Town

State of Rhode Island  
Providence, Sc.

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

Joseph DeFrancesco  
 Notary Public  
 Commission expires 10/19/16

**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>OK</del> Tomas Servano	TOMAS SERANO	250 Prairie Ave Apt. 427
<del>OK</del> Rafael Genao	RAFAEL GENAO	50 PRAIRIE AVE APT 323
<del>OK</del> Riley Pope	Riley Pope	50 Prairie Ave Apt. 324
<del>OK</del> Emma Ortiz	EMMA ORTIZ	165 Peace St apt 11
<del>OK</del> Joel Martinez	Joel Martinez	495 Porters Ave TEL
<del>OK</del> Federico Paez	FEDERICO PAEZ	50 PRAIRIE AVE APT 323
<del>OK</del> Rafael Polanco	RAFAEL POLANCO	50 Prairie Ave Apt. 117
<del>OK</del> Jennifer Santos	Jennifer Santos	15 Thackeray St Providence RI
<del>OK</del> Clara Alvarez	Clara Alvarez	15 Thackeray St Providence RI
<del>OK</del> MARGARETH AUGUSTIN	Margareth Augustin	482 Branch Ave #1106
<del>OK</del> AISA ROSSO	AISA ROSSO	27 Marion Ave Cranston
<del>OK</del> Chamaire Hawey	Chamaire Hawey	27 Sackett Street #3
<del>OK</del> Lori Wright	LORI WRIGHT	270 Public St 02905
<del>OK</del> Missy Rodriguez	MISSY RODRIGUEZ	502 CACTUS ST PROVIDENCE 02905
<del>OK</del> Ramon Guzman	Ramon Guzman	290 Dexter St Providence 02905
<del>OK</del> Edwin Amos	Edwin Amos	233 BELFLEET ST
<del>OK</del> Mario Oliveira	MARIO OLIVEIRA	40 Leander St Apt. 319
<del>OK</del> MAUREEN McEVERN	MAUREEN McEVERN	40 Leander St Apt. 319
<del>OK</del> Sonia Claudio	Sonia Claudio	40 Leander St #319
<del>OK</del> Maria Colon	Maria Colon	40 Leander St #316
<del>OK</del> Ismael Ocasio	Ismael Ocasio	40 Leander St #304
<del>OK</del> Christine Tremblay	Christine Tremblay	40 Leander St #311
<del>OK</del> Joseph Acevedo	Joseph Acevedo	40 Leander St #307
<del>OK</del> Alfreda Poznylowski	Alfreda Poznylowski	40 Leander St #310
<del>OK</del> Eileen Ferrera	EILEEN FERRERA	40 Leander St #306
<del>OK</del> Decideria B. Montanez	Decideria B. Montanez	40 Leander St Apt. 616
<del>OK</del> Henry R. Barboza	Henry R. Barboza	40 Leander St Apt. 609
<del>OK</del> Lydia Jimenez	Lydia Jimenez	40 Leander St 604
<del>OK</del> FERNANDO MARTINEZ	FERNANDO MARTINEZ	40 Leander St Apt. 605

40	Rafael Del Real	40 Leander St. 609	
41	Teresa Padilla	40 Leander St. 608	
42	ARMEN MINAYA	40 Leander St. 611	
43	ARMEN MINAYA	40 Leander St. 514	
44	SAUL SANCHEZ	40 Leander St. 509	
45	MICHAEL VAH	40 Leander St. 511	
46	Fernando De Andrade	40 Leander St. 521	
47	BARBARA CARRON	40 Leander St. 422	
48	Deborah Slaney	40 Leander St. 411	
49	Dawn MARFEO	40 Leander St. 411	Apt 407
50	JOSEPHINE CALER	40 Leander St. 411	Apt. 408
51	Bonnie Torres	40 Leander St. 411	Apt. 406
52	Maris Rodriguez	40 Leander St. 411	
53	Pura Rodriguez	40 Leander St. 411	
54	Paula McCaffrey	40 Leander St. 411	Apt 412
55	Michelle D. Giron	40 Leander St. 411	
56	DIANE M. LASTOISKI	40 Leander St. 411	
57	Theresa M. Clinton	40 Leander St. 411	223
58	Markene Denise Grendge	40 Leander St. 02909	214
59	YARISSA MAGO	40 Leander St. 02909	220
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I, Sophia Gluskin-Brown, 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-Brown  
 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

**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"

2016 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>Francisco Rivera</del>	<del>Francisco Rivera</del>	<del>243 Smith St Apt 1504</del>
<del>Bernice Jackson</del>	<del>BERNICE JACKSON</del>	<del>243 Smith St Apt 1503</del>
<del>Murat Biso</del>	<del>MURAT BELYEN</del>	<del>243 Smith St Apt 1501</del>
<del>Shelby Mack</del>	<del>Shelby Mack</del>	<del>223 Ives St, Apt 3</del>
<del>Cirilo Morel</del>	<del>CIRILO MOREL</del>	<del>243 Smith 141</del>
<del>Marcia M. Dist</del>	<del>Marcia M. Dist</del>	<del>196 Chapin Ave Prov. R.I. 02909 Apt 3</del>
<del>Gregorio M. Dist</del>	<del>GREGORIO M. DIST</del>	<del>243 Smith 1210</del>
<del>Jeremy A Jackson</del>	<del>JEREMY A JACKSON</del>	<del>243 Smith St 1113</del>
<del>Emilio Pimentel</del>	<del>Emilio Pimentel</del>	<del>243 Smith 1107</del>
<del>Fidel Pimentel</del>	<del>Fidel Pimentel</del>	<del>243 Smith 1107</del>
<del>Juan Heria</del>	<del>JUAN HERIA</del>	<del>243 Smith 207</del>
<del>Sidra</del>	<del>SIDRA</del>	<del>243 Smith 1207</del>
<del>Carlos Cedeno</del>	<del>CARLOS CEDENO</del>	<del>178 Mass St Prov. R.I.</del>
<del>Evangelina</del>	<del>EVANGELINA</del>	<del>243 Smith St Apt 1003</del>
<del>Felipe Sanchez Agosto</del>	<del>FELIPE SANCHEZ AGOSTO</del>	<del>243 Smith St Apt 1003</del>
<del>Doraliza Baez</del>	<del>DORALIZA BAEZ</del>	<del>243 Smith St Apt 9-05</del>
<del>Ynes Rodriguez</del>	<del>YNES RODRIGUEZ</del>	<del>243 Smith St. #810</del>
<del>Capidio Sierra</del>	<del>CAPIDIO SIERRA</del>	<del>243 Smith St Apt 809</del>
<del>Carmen Castillo</del>	<del>Carmen Castillo</del>	witness
<del>Shelby Mack</del>	<del>Shelby Mack</del>	witness
<del>PLANE VINACCO</del>	<del>PLANE VINACCO</del>	<del>243 Smith St.</del>
<del>ROLAND STEVENS</del>	<del>ROLAND STEVENS</del>	<del>243 Smith #801</del>
<del>Maria Tavares</del>	<del>Maria TAVARES</del>	<del>Craston St. 176.</del>
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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, Sc.

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:

"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  
APR 17  
12:52



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> Tyrone Sheppard	Tyrone Sheppard	One Cadillac Dr
<del>OK</del> Rafael Gonzalez	RAFAEL GONZALEZ	126 Cadillac Dr,
<del>OK</del> Aurelia Morel	AURELIA MOREL	1 Cadillac Dr. Apt 210.
<del>OK</del> Altigracia de la Cruz	ALTIGRACIA DELA 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> Esposito Camacho	ESPOSITO CAMACHO	1 Cadillac Dr Apt 219
<del>OK</del> Rudy Martinez	RUDY MARTINEZ	21 Cadillac Dr. 319
<del>OK</del> Lucia Ramirez	LUCIA RAMIREZ	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 Corbeia	WILLIAM CORBEIA	313 Cadillac Dr
<del>OK</del> Mercedes Torres	MERCEDES TORRES	311 Cadillac Dr
<del>OK</del> Agustin Lizardo	AGUSTIN LIZARDO	310 Cadillac Dr
<del>OK</del> Ramona Resnoso	RAMONA RESNOSO	#620 Cadillac Dr.
<del>OK</del> Ramona Resnoso	RAMONA RESNOSO	#620 Cadillac Dr.
<del>OK</del> Emilio Colon	EMILIO COLON	211
<del>OK</del> Isidro Encarnacion	ISIDRO ENCARNACION	615
<del>OK</del> Juanita Hernandez	JUANITA 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> Deborah May	DEBORAH MAY	1 Cadillac Dr
<del>OK</del> Debra Perry	DEBRA PERRY	1 Cadillac Dr Apt 515

<del>OK</del> <del>Sarmay Reyes</del>	CARMEN Reyes	Cadillac Dr #516	
<del>OK</del> <del>José R. Reyes</del>	Flor Reyes	Cadillac Dr #516	
<del>OK</del> <del>Francisco Reyes</del>	Francisco Reyes	Cadillac Dr #516	
<del>OK</del> <del>Juan A. Whath</del>	JUAN A. WHATIS	1 Cadillac DR 514	
<del>OK</del> <del>Lina F. Pena</del>	ANA-F-PENA	1 Cadillac DR 509	
<del>OK</del> <del>Angela Alianza</del>	Angela Olivares	104 Lexington Ave.	
<del>OK</del> <del>Belvisse Nuñez</del>	Belvisse Nuñez	95 Congress Ave	3
<del>OK</del> <del>Marta Pabon</del>	MARTA PABON	17 BACRO ST	
<del>OK</del> <del>Angelique Pope</del>	Angelique Pope	8 Somerset St. #10	
<del>OK</del> <del>Jose Fina Ure</del>	Jose Fina Ure	1108 Westchester St	+1
<del>OK</del> <del>Alberto Benitez</del>	ALBERTO BENITEZ	79 HAMLIN ST APT 1	
<del>OK</del> <del>JOAO DAFONSECA</del>	JOAO DAFONSECA	261 Massachusetts Ave.	
<del>OK</del> <del>JOAO DAFONSECA</del>	JOAO DAFONSECA	261 Massachusetts Ave	
<del>OK</del> <del>Guilhermina Arias</del>	Guilhermina Arias	342 Veazie St. 1	
<del>OK</del> <del>Antonio Oliveira</del>	Antonio Oliveira	40-Vick St 800	
<del>OK</del> <del>Silene Bellia</del>	Silene Bellia	101 Mitchell St.	
<del>OK</del> <del>Carlos Moscoso</del>	Carlos Moscoso	107 Paul St Prov. R.T.	APT 1
<del>OK</del> <del>Maria Santos</del>	MARIA SANTOS	56 MAVERICK ST. 1	
<del>OK</del> <del>Rafael de la Santa</del>	RAFAEL DE LA SANTA	98 PETERS AVE	
<del>OK</del> <del>Albert Luyando</del>	Albert Luyando	172 RESERVIOR AVE APT-2	
<del>OK</del> <del>MARIA PABON</del>	MARIA PABON	19 BACROCK ST.	APT
<del>OK</del> <del>Joseph Semedo</del>	JOSEPH SEMEDO	215 ELWOOD AVE	APT 4C
<del>OK</del> <del>Ed Espinal</del>	Ed Espinal	191 LINWOOD AVE Prov.	
<del>OK</del> <del>EROS Smith</del>	EROS SMITH	255 ORMS STREET APT 3	
<del>OK</del> <del>Hilda M. Miel</del>	Hilda M. Miel	369 MONTGOMERY AVE PRV	APT 7L
<del>OK</del> <del>Wm DAMICO</del>	WM DAMICO	369 MONTGOMERY AVE	
<del>OK</del> <del>Barbara Ferguson</del>	Barbara Ferguson	369 MONTGOMERY AVE	
<del>OK</del> <del>Eligio Traversa</del>	ELIGIO TRAVERSA	369 MONTGOMERY AVE	APT 8-B
<del>OK</del> <del>Eileen MacArthur</del>	EILEEN MACARTHUR	369 MONTGOMERY AVE	
<del>OK</del> <del>Baldemir De Jesus</del>	BALDEMIR DE JESUS	369 MONTGOMERY AVE	8D
<del>OK</del> <del>Linda Whittemore</del>	LINDA WHITTEMORE	369 MONTGOMERY AVE	
<del>OK</del> <del>Sadira A. Colado</del>	SADIRA A. COLADO	369 MONTGOMERY AVE	
<del>OK</del> <del>JESUS Gonzalez</del>	JESUS GONZALEZ	369 MONTGOMERY AVE	9B
<del>OK</del> <del>ANRES LOPEZ</del>	ANRES LOPEZ	369 MONTGOMERY AVE	
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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  
Notary Public  
Comm exp 1/1/14

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"**

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.



(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>Steve Nightingale</i>	Steve Nightingale	63 Sawyer St
<i>Gail L. Nightingale</i>	Gail L. Nightingale	63 Sawyer St
<i>Anaïs Fernandez</i>	Anaïs Fernandez	58 THURSTON ST.
<i>Erickson Garcia</i>	Erickson Garcia	41 Dixon St
<i>Julio Alcantara</i>	Julio Alcantara	87 Dixon St
<i>Elle L. M. M. M.</i>	Elle L. M. M. M.	90 Dixon St
<i>Loretta Singleton</i>	LORETTA SINGLETON	83 Doyle Ave #214
<i>Presler Posy</i>	PRESLER POSY	83 Doyle Ave #307
<i>M. N. N. N. N.</i>	M. N. N. N. N.	83 Doyle Ave #314
<i>Barbara Ritchie</i>	BARBARA RITCHIE	83 Doyle Ave #317
<i>Meredith Lopez</i>	Meredith Lopez	83 Doyle Ave #402
<i>Lilyvera Raisa</i>	LILYVERA RAISA	83 Doyle Ave apt. 404
<i>Genekie Williams</i>	Genekie 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  
 -----  
 Signature  
69 Brown Street Box 4619  
 -----  
 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

**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 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, 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>NO</del> <del>Candida Caines</del>	Candida Caines	100 Broad St apt 902
<del>NO</del> <del>Regilda Hidalgo</del>	Regilda Hidalgo	100 Broad St 905
<del>NO</del> <del>Felix Duran</del>	Felix Duran	100 BROAD ST, Apt., PROVIDENCE, RI 0292
<del>NO</del> <del>SAADY ROS</del>	Saad Ros	→ 907
<del>NO</del> <del>Sergio A Osorio</del>	Sergio A Osorio	100 Broad St Apt 911
<del>NO</del> <del>Yong-Lai Hui</del>	Yong-Lai Hui	100 Broad St. Apt 913
<del>NO</del> <del>CHHOEU TING</del>	CHHOEU TING	100 Broad St Apt 916
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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

**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 PM 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, 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.

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>Thm C. Williams</i>	NORRIS E. Nichols	20 RANDALL ST #2B
<i>Gloria Encutian</i>	Gloria Encutian	20 Randall #2G
<i>Henry Quirk</i>	Henry Quirk	20 RANDALL #2H
<i>Hermine Cuevas</i>	Hermine Cuevas	20 Randall St. apt 3F
<i>Donna Mitchell</i>	Donna Mitchell	20 RANDALL ST apt 4
<i>Aector Mainero</i>	Aector Mainero	20 Randall St. apt 4
<i>Denise B. Spunt</i>	Denise B. Spunt	20 Randall St #4K
<i>Kathleen Jones</i>	Kathleen Jones	20 Randall St apt 4H
<i>Eduardo Rodriguez</i>	Eduardo Rodriguez	20 Randall St #4B
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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, Sc.

Subscribed to me this 12 day of April, A.D. 2014

Joseph DeFrancisco  
Notary Public  
Commission expires 10/19/16

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**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS 8

**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 12:50

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.

(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 Pro-RI 02907 318</del>
<del>Rolando Mendez</del>	<del>ROLANDO MENDEZ</del>	<del>301 Cranston St 326</del>
<del>Angela Silfa</del>	<del>ANGELA SILFA</del>	<del>301 Cranston St 324</del>
<del>Rita P. Maldonado</del>	<del>PILO P. MALDONADO</del>	<del>301 Cranston St 318</del>
<del>Rosa M. Medina</del>	<del>ROSA MEDINA</del>	<del>301 34 Miller Ave Pro-RI 02907 318</del>
<del>Adeline Guzman</del>	<del>ADELINA GUZMAN</del>	<del>63 Hamlin St Pro-RI 02907 318</del>
<del>Julian Espinal</del>	<del>JULIAN ESPINAL</del>	<del>301 Cranston St Pro-RI 02907 318</del>
<del>Bacilisa Espinal</del>	<del>BACILISA ESPINAL</del>	<del>301 Cranston St Pro-RI 02907 312</del>
<del>Miguelina Espinal</del>	<del>MIGUELINA ESPINAL</del>	<del>301 Cranston St Pro-RI 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  
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 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**

18

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 CAWMASTERS  
& 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 Ave 117
OK Lin PAK	Lin PAK	675 Elmwood Ave 118
OKlette Garay	OLETE GARAY	675 Elmwood Ave 121
OK Maria Negrón	MARIA Negrón	675 Elmwood Ave 220
OK Sonia McGarles	SONIA McGARLES	675 Elmwood Ave 220
OK Emperatriz D. Jesus	Emperatriz D. Jesus	675 Elmwood Ave 213
OK Angela Pagan	ANGELA PAGAN	675 Elmwood Ave 214
OK Elizabeth Ortiz	Elizabeth Ortiz	675 Elmwood Ave
OK de la Cruz Melroica melroica de la Cruz	de la Cruz Melroica melroica de la Cruz	675 Elmwood Ave
OK Seon Choo	Seon Choo	675 Elmwood Ave 218
OK Francis de la Cruz	Francis de la Cruz	675 Elmwood Ave 221
OK Roberta M. Thayer	Roberta M. Thayer	675 Elmwood Ave 223
OK Rebecca O'Connell	Rebecca O'Connell	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 Sam Phou	Sam Phou	675 Elmwood Ave 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

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 \$1.85 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:

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**(e) Effective Dates**

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

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(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.

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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:

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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.

(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)
	Yolanda O. Benitez	675 Elmwood Ave Apt 120
	JESSE HEDBERG	19 LUTHERLAND PL PROV RI
	Emma Bardagjy	19 Lutherland Pl. "
	Michael Aravjo	17 Gibbon Ct. Prov R.I.
	KRISTINA BROWN	11 GIBBON CT PROV 02909
	Eustina B. Beyer	23 Maple St Prov RI 02908
	Nancy Gabry	126 Willow St. Prov. RI 02909
	Melvin P. Beyer	122 Willow St Prov. RI 02909
	Mildred Vargas	159 Hudson St Prov 02909
	Travis Battra	21 Elizabeth Dr Prov N. Providence
	Brenda Parker	315 Carter Ave Pawtucket
	Bryan Parrott	106 Chapin Ave Prov.
	Rebecca Baruzzi	68 Hudson St Prov.
	BRYAN DUFRESNE	49 Willow St 02909
	Rachel M. Miller	74 Willow St. 02909
	Cullen Greene	64 Willow St. 02909
	Rachel Newman Greene	64 Willow St 02909
	Elise Jakabcsny	58 Willow St Prov 02909
	Rebecca Kessler	50 Willow St Prov 02909
	JOHN MORRIS	32 Willow St Prov RI 02909
	Kari Lang	32 Willow St Prov 02909
	Deb Roschberg	20 Bianco Court, Prov 02909
	Neal Roschberg	20 Dineen Ct 02909
	JACK RYAN	22 Bianco Ct 02909
	Ann Wang	22 Bianco Ct. 02909
	LUCRECIA RIZ	31 Willow St Providence
	Lillian Velazquez	53 Willow St Prov 02909
	JOHN A. KAFFET	71 HAMORE ST. PROV 02909
	LUKE KAFFET	18 GIBBON CT 02909
	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

**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.

(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 Lucille Williams	LUCILLE WILLIAMS	557 VERMONT ST #311
OK Michael DANTICO	MICHAEL A. DANTICO	557 VERMONT ST #425
OK Jose C. Camacho	JOSE C. CAMACHO	557 VERMONT ST 309
OK Rosa M. Rivera	ROSA RIVERA	100 ATWELLS #1209
OK Maria Rivera	MARIA RIVERA	
OK Jose R. Murriel	JOSE R. MURRIEL	100 ATWELLS #1205
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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 [Signature]  
Signature  
38 Monroey 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

**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  
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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, 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:

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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</del> <del>Heulio Gonzalez</del>	Heriliza Gonzalez	47 Marlborough Ave 3 FL
<del>OK</del> <del>Isabel Gonzalez</del>	Isabel Gonzalez	47 Marlborough Ave 3 FL
<del>OK</del> <del>Debra Surcar Jr</del>	Debra Surcar Jr	49 Marlborough Ave
<del>OK</del> <del>Pedro Surcar</del>	Pedro Surcar	47-48 Marlborough Ave.
<del>OK</del> <del>Tasia Shaw</del>	Tasia Shaw	49 Marlborough Ave
<del>OK</del> <del>Aleta Clark</del>	Aleta Clark	12 Marlboro St
<del>OK</del> <del>Dikonia Makbuchi</del>	Dikonia Makbuchi	34 Marlborough Ave
<del>OK</del> <del>MAE BEATTY</del>	MAE BEATTY	12 Glenham St
<del>OK</del> <del>Antonia Norman</del>	Antonia Norman	22 Glenham St
<del>OK</del> <del>James Norman</del>	James Norman	22 Glenham St
<del>OK</del> <del>Alfreda Williams</del>	Alfreda Williams	36 Glenham St
<del>OK</del> <del>Tose Martinez</del>	Tose Martinez	36 Glenham St
<del>OK</del> <del>Simon Gonzalez</del>	Simon Gonzalez	13 Whelan Rd
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I, Gracela 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.

Gracela Cruz  
Signature  
4911460200315-32 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. 20 14

[Signature]  
Notary Public  
exp 9-24-2017

**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  
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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.

5<sup>md</sup>

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. Violet E. Field</del>	<del>Violet E. Field</del>	<del>22 Cromwell St</del>
<del>OK 2. Machelo McAlpine</del>	<del>Machelo McAlpine</del>	<del>54 Cromwell St Apt 2</del>
<del>NO 3. Khadijah Swan</del>	<del>Khadijah Swan</del>	<del>54 Cromwell St Apt 2</del>
<del>NO 4. POLINA A. ISCO</del>	<del>Polina A. Isco</del>	<del>68 Cromwell St Apt 1</del>
<del>OK 5. Larry Tunstall</del>	<del>Larry Tunstall</del>	<del>72 Cromwell St</del>
<del>OK 6. Willie McBride</del>	<del>Willie McBride</del>	<del>72 Cromwell St</del>
<del>NO 7. Esteban Cabrera</del>	<del>Esteban Cabrera</del>	<del>62 Woodman St</del>
<del>OK 8. Maritza Quera</del>	<del>Maritza Quera</del>	<del>11 Woodman St</del>
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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

[Signature], A.D. 2014  
exy 9/24/2014  
Notary Public

**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."

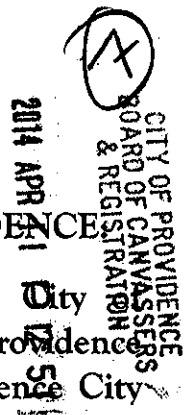
(a) **Purpose.**

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.

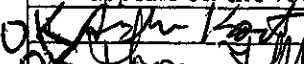
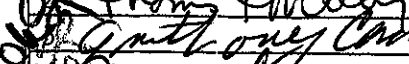


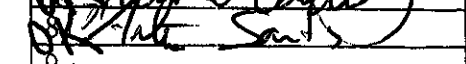
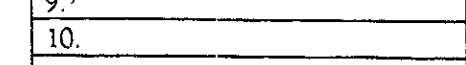

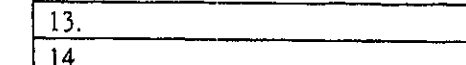
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(i) **Severability.**

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.

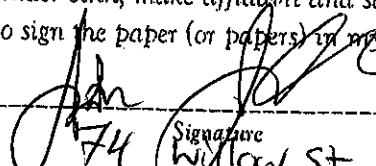
Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)
	Andrew Koester	73 Beacon Ave. #2 Prov. 02903
	Thomas F. Malloy	33 Boundary Ave. Prov. 02909
	Anthony Cardinal	106 Grandview St. 02906
	Nicholas Pugliese	22
	MAXIMINO BECERRA	7 Sykes Pl. Prov.
	Ariel Rivera	221 10th St 02908
	NATE Anthony	19 W 11th St. Prov.
	Anton Santos	197 Salina St. Providence 02908
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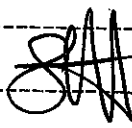
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I, Justin Kelley, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
 Signature  
74 Willow St  
 Address (Street & Number)  
Providence RI 02908  
 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,

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
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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.

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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.

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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.**

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>Elliot Bagkins</del>	ELLIOTT BAGKINS	100 ATWELLS AVE
<del>Robert Weber</del>	ROBERT WEBER	100 ATWELLS AVE
<del>May L. Neil</del>	MAY L. NEIL	100 ATWELLS AVE
<del>James E. Salinas</del>	JAMES E. SALINAS	100 ATWELLS AVE
<del>Raymond E. Kopylov</del>	RAYMOND E. KOPYLOV	100 ATWELLS AVE
<del>Margaret K. Kehajiah</del>	MARGARET K. KEHAJIAH	100 ATWELLS AVE
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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. 2014

Rosamond Anna Talbot  
Notary Public

My commission expires  
4-4-16

**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."

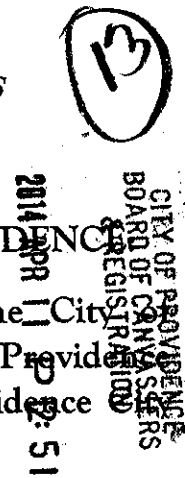
(a) **Purpose.**

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, 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 [Signature]</del>	<del>Akinshola Akinlaga</del>	<del>81 Hamlin Street</del>
<del>OK [Signature]</del>	<del>Maria Rodriguez</del>	<del>75 Hamlin St</del>
<del>OK [Signature]</del>	<del>Maria Rodriguez</del>	<del>75 Hamlin St</del>
<del>OK [Signature]</del>	<del>Alexandra Monar</del>	<del>95 Hamlin St.</del>
<del>OK [Signature]</del>	<del>Jaime Peguro</del>	<del>95 Hamlin St</del>
<del>OK [Signature]</del>	<del>Lance Perry</del>	<del>96 Hamlin St.</del>
<del>OK [Signature]</del>	<del>Josephine O'SLATER</del>	<del>70 SAWYER ST. PROV. RI 02907</del>
<del>OK [Signature]</del>	<del>CHRISTOPHER CHIGWOT</del>	<del>53 PEARCE ST PROV RI 02907</del>
<del>OK [Signature]</del>	<del>Eva Owsen</del>	<del>64 Thurston R.I 02907</del>
<del>OK [Signature]</del>	<del>James MORAN</del>	<del>54 BISSALL ST</del>
<del>OK [Signature]</del>	<del>Richard A. Lora</del>	<del>98 TRASK PROV RI 02905</del>
<del>OK [Signature]</del>	<del>Kevin Silverman</del>	<del>82 DIXON ST 02907</del>
<del>OK [Signature]</del>	<del>Thomas K. Kannel</del>	<del>102 Dixon ST #2</del>
<del>OK [Signature]</del>	<del>Karl Forti</del>	<del>1207 Elmwood Ave</del>
<del>OK [Signature]</del>	<del>ANGELA FORTI</del>	<del>1207 Elmwood ave.</del>
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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  
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"

2014 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.



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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>Jane Richendollar</i>	JANE Richendollar	20 RANDALL ST. Apt 6H
<i>Lisa Romano</i>	LISA L. Romano	20 Randall St Apt 6F
<i>Bradford D. Metts</i>	BRADFORD D. METTS	20 RANDALL ST. APT 6S
<i>Charles Maynard</i>	Charles Maynard	20 RANDALL ST 6T
<i>Sean Chapman</i>	Sean Chapman	20 Randall st 5A
<i>Lillian J. Jenner</i>	LILLIAN J. JENNER	20 RANDALL ST 5D
<i>Barbara Smith</i>	BARBARA SMITH	20 RANDALL ST 5K
<i>Wayne Chalifoux</i>	WAYNE CHALIFOUX	20 RANDALL ST 5Q
<i>ZARCE SKY</i>	ZARCE SKY	20 RANDALL ST
<i>Maffie H</i>	MAFFIE H	20 RANDALL ST
<i>Rowena Smith</i>	Rowena Smith	20 Randall St.
<i>Miguel Villanueva</i>	MIGUEL VILLANUEVA	20 RANDALL ST PROV
<i>John A. Iselle</i>	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

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 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,

2014 APR 11 P 12:51  
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>Olivia Parra</del>	<del>ONELIA PARRA</del>	<del>359 Carpenter Apt 415</del>
<del>Olivia 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 410</del>
<del>Juan Campos</del>	<del>Juan Campos</del>	<del>359 Carpenter St Apt 409</del>
<del>Dorila Arena</del>	<del>DORILA ARENA</del>	<del>359 Carpenter St</del>
<del>Juan B. Vega</del>	<del>JUAN B. VEGA</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 #113</del>
<del>Olivia S. Oliva</del>	<del>OLIVIA S. OLIVA</del>	<del>359 Carpenter St Apt 111</del>
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I, Conway 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.

Conway Smith  
 Signature  
140 Kingston 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

Rosamond Smith  
 Notary Public  
 My Commission Expires 4-4-16

**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:

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

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
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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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*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**

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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.

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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)
<i>OK Omitogun</i>	TAOFIKI-OMITOGUN	160 Benedict Street
<i>OK Geraldine McGill</i>	Geraldine McGill	160 Benedict Street #604
<i>OK Lieng Tan</i>	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)  
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

**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

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Providing as follows:

*Be it Ordained by the City of Providence:*

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(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.

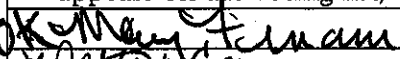

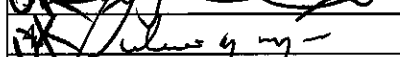
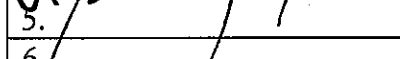
(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

(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.

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2014 APR 11 PM 12:51

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)
	MARY FERRARO	104 Stamford Ave
	JEFFREY CRUM	102 Stamford Ave
	VICTOR MENDEZ	35 Bissell St #9
	JULIAN MENDOZA	25 ADELAIDE AVE
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I, Charran 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.

Charran Castillo

Charran Castillo  
Signature  
341 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 7/2/14

**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 ASSESSORS  
REGISTRATION  
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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, 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.



(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.

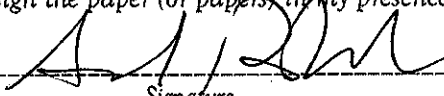
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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>	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>	Alee Khang	64 Dexter St. Apt 1
<i>[Signature]</i>	Carlin Toney	5 JENCKS STREET, 02906
<i>[Signature]</i>	JOHN SCITHLO	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

**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  
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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.

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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>Stephanie Colbert</i>	Stephanie Colbert	1 Valley St # 906
<i>Barbara P. Colon</i>	Barbara P. Colon	1 Valley St # 700
<i>Beverly A. McNamara</i>	BEVERLY A. MCNAMARA	1 VALLEY ST # 30.3
<i>Christopher W. Rescort</i>	CHRISTOPHER W. RESCORT	1 VALLEY ST # 700
<i>Peter D. Delavante</i>	PETER D. DELAVANTE	1 VALLEY ST # 407
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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 A#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

**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  
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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 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  
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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, 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)
	Gilsa Valenzuela	62 Superior St
	Melanie Chalas	13 Moore St
	Mario Mancho	244 Pleasant St
	ANGELO JUNCO	598 Union Av Prov
	TANYA ORTIZ	142 Moore School St
	RODIS RODRIGUEZ	34 Hollis St Prov. Rd
	STAN DICKENSON	7 Leo Ave Prov.
	DAVID ROBIO	22 KAWATUNG AVE.
	Joseph Teranilo	114 Boush Hill Rd
	JOHN J BARRY	12 PRIMROSE ST Prov.
	HAROLD ATKINSON	113 Redcliffe Ave
	SEAN F. OSWALD	5 Levee St Prov RI 02908
	Anthony Heywood	27 Jewett St Prov RI 02908
	Crystal J. Holt	174 Canton St. PROV RI 02908
	Jennifer Emidy	297 Washington Ave 02905
	Pedro Pichardo	20 Tobayhanna St
	RICARDO PATISSO	420 AREWIDE AVE
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I, Ana B. Quyada, 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. Quyada  
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

16/07/17

**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 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, 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.

(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>	<i>[Signature]</i> Suzette Rivera	287 Cahiv St. apt 207
<i>[Signature]</i>	REOCOLON	<del>287 Cahiv St. apt 207</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 Tabor  
 Notary Public

My commission expires 4-4-16

**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.**

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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,

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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.

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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.

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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.

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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:

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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</del>	<del>Evelyn Martel Martel</del>	
<del>Juan Arias</del>	<del>Juana Arias</del>	243 Smith St. Apt. 214
<del>Charles Burdick</del>	<del>Charles Burdick</del>	243 Smith St. Apt. 305
<del>Carlos Diaz</del>	<del>Carlos Diaz</del>	243 Smith St. Apt. 312
<del>Cristina Arango</del>	<del>Cristina Arango</del>	243 Smith St. Apt. 403
<del>Ramona Flores</del>	<del>Ramona Flores</del>	243 Smith St. Apt. 406
<del>Melida Amarante</del>	<del>Melida Amarante</del>	243 Smith St. #409
<del>Rough Renee</del>	<del>Rough Renee</del>	243 Smith St. #504
<del>Vikram Malik</del>	<del>Vikram Malik</del>	243 Smith St. Providence Apt. 604
<del>Loures Santana</del>	<del>LOURDES SANTANA</del>	243 Smith St. Apt 608
<del>Neura Ramirez</del>	<del>NEURA RAMIREZ</del>	243 Smith St. Apt 612
<del>Jesse C. Strecker</del>	<del>Jesse C. Strecker</del>	311 Amherst St. #2
<del>Josephine Shagwer</del>	<del>JOSEPHINE SHAGWER</del>	76 Harrison St. #2
<del>Malchus N. Mills</del>	<del>Malchus N. Mills</del>	88 Whitehall Street
<del>Christopher V. Rotondo</del>	<del>Christopher V. Rotondo</del>	117 8th Street
<del>Wayne M. Woods</del>	<del>WAYNE M. Woods</del>	124 Moore St. APT #3
<del>Joseph P. Buchanan</del>	<del>JOSEPH P. BUCHANAN</del>	94 Boscawen St
<del>Boline Burgeson</del>	<del>Boline Burgeson</del>	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 Amherst 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

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

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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 12:54

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)
OK Gladys E. Thomas	Gladys E. Thomas	11 Alexander St
OK Stephen Henley	Stephen Henley	22 Alexander St. Prov.
OK Florida Galvan	Florida Galvan	47 Alexander St. Prov.
OK Noelio A. Fries	NOELIO A. FRIES	42 ALEXANDER ST. Prov.
OK Anaure Garcia	Anaure 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 Anna Cruz	ANNA 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
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OK Light Cabana	Light Cabana	11 / 150 Roger Williams Ave)
OK Miguel A. Capellan	Miguel A. Capellan	165 Weir Hall St
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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  
190 Knappton 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

**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  
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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, 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>Elizabeth Martino</del>	<del>ELIZABETH MARTINO</del>	<del>41 Hammond St</del>
<del>Nancy Worthen</del>	<del>Nancy Worthen</del>	<del>51 Hammond St</del>
<del>Paul J. Carwell</del>	<del>Paul J. 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 ABELOW</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 Oton-Himmel</del>	<del>JULES OTON-HIMMEL</del>	<del>73 HARRISON ST</del>
<del>Joanna Carey</del>	<del>Joanna Carey</del>	<del>73 HARRISON ST</del>
<del>Barbra Reuill</del>	<del>Barbra Reuill</del>	<del>25 Hammond St.</del>
<del>Judy Burak</del>	<del>Judy Burak</del>	<del>14 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, Pawtucket</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. 20 14

[Signature]

exp 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:

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
& REGISTRATION  
2017 APR 17  
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)
<i>[Signature]</i>	James Casey	on the east - 9 Park St Apt 816
<i>[Signature]</i>	ESTELA GÓMEZ	9 Park St Apt 96
<i>[Signature]</i>	Maria Torres	9 Park St Apt 4E
<i>[Signature]</i>	Jaime Salinas	9 Park St 2F (8C)
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I, Jonathan Canele 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 Canele  
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

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 12:52  
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.

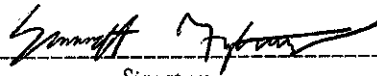
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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>Idalia Escobedo</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>Senajida Rodryguez</i>	Senajida Rodriguez	1 Cadillac Dr. Apt 613
<i>Deborah Drammich</i>	Deborah Drammich	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.

  
 \_\_\_\_\_  
 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  
2004 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, 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:

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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.**

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:

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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)
	Monica Vaile Carmona	269 Webster Ave
	RUBY LAZO	8 Bosworth St
	Hebeany Jay Harris	31 opper St.
	Brian Pelletier	44 peacedale Road
	Vanessa Villon	32 Maplewood Ave CRANSTON
	Shonica Goncalves	157 Ivy St, Providence
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I, Servio Gomer, 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 11 PM 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)
<i>Claire Bernardo</i>	CLAIRE BERNARDO	30 HAGAN ST. 319
<i>Alma Marotta</i>	ALMA MAROTTA	30 Hagan St 215
<i>Robert K. Espinosa Sr</i>	ROBERT K. ESPINOSA SR	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 L. Kufner</i>	RICHARD L KUFNER	30 Hagan St Apt 202
<i>Angelina Sawyer</i>	ANGELINA SAWYER	30 Hagan St Apt 115
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I, MIRIAM R. 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 R. Parada  
Signature  
653 Mattson 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

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:

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

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
JULY 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, 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>Laura U. Soa</i>	Laura U. Soa	211 Adelaide APT. #1
<i>HO L APT. #2</i>	HO L APT. #2	211 Adelaide APT. #2
<i>JUSTIN KOTOMOTO</i>	JUSTIN KOTOMOTO	211 Adelaide APT. #23
<i>MARIA COLLAZO</i>	MARIA COLLAZO	211 Adelaide APT. #14
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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 10th day of April, A.D. 2014

Michael Hay  
Notary Public

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

(8)

**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.

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(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.

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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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(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.

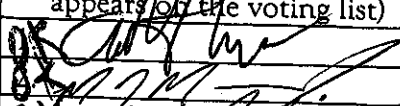
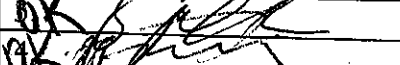
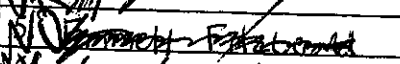
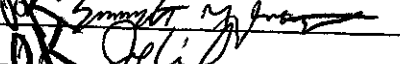
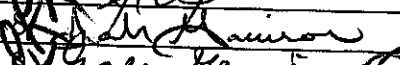
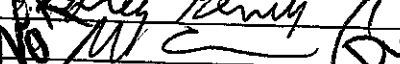
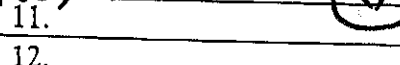
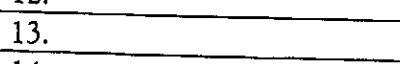
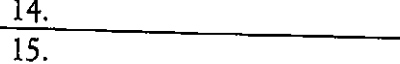


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(i) Severability.

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. Merera	62 Camp St #2
	Josue F. Cordero	69 Brown St, 02912
	Mirnel Christoff	67 Johnston 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 Araya	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  
2021 APR 11 P 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

(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>Michael Robinson</del>	<del>Michael Robinson</del>	<del>9 Chapin Ave</del>
<del>William D. Miller</del>	<del>William D. Miller</del>	<del>15 COMPER CT</del>
<del>Jennifer Lee</del>	<del>Jennifer Lee</del>	<del>11 Chapin Ave Providence RI</del>
<del>Heather Gately</del>	<del>Heather Gately</del>	<del>43 Chapin Ave Providence</del>
<del>Edna Welter</del>	<del>Edna Welter</del>	<del>63 Chapin Ave Pod</del>
<del>Bernadette Gafola</del>	<del>Bernadette Gafola</del>	<del>67 Chapin Ave</del>
<del>Edward Montanaro</del>	<del>Edward Montanaro</del>	<del>12 Chapin Ave</del>
<del>John Berge</del>	<del>John Berge</del>	<del>71 Chapin Ave #2</del>
<del>Stephanie C. Snyder</del>	<del>Stephanie C. Snyder</del>	<del>61 Chapin Ave #1</del>
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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 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, 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.

(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)
	Kristin Murphy	259 Rochambeau Ave.
	Suzannah Skolnik	71 Chapin Ave #3
	Chanrany Proeung	62. Lisbon St. Prov. RI
	Faith Torres	1959 SSA Frost St Prov
	MARY KAY HARRIS	304 PEREL ST PROV.
	Seth Magaziner	90 22dy St #303
	Chandra B. Bhatnagar	1 Thayer St. 02906
	Jeffrey Levy	170 Began St.
	Lauren Holloman	120 Skate Ave
	N.L. KHAN	9 Slacum St.
	TUAN M. Richards	229 ATLANTIC AVE.
	RACHEL COLANAGE	23 E. Manning 02906
	David Vanecko	29 Lincoln Ave Prov 02906
	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

 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"

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  
MAY 12 12:52 PM



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.

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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>NO</del> <del>Maria E. Johnson</del>	<del>Maria E. Johnson</del>	<del>675 E 104, 675 E/mwood</del>
<del>NO</del> Eddie Johnson	Eddie Johnson	675 E/mwood 105
<del>NO</del> <del>James M. Mendez</del>	<del>JANUARIO MENDEZ</del>	<del>303 IRANSTAN ST. Apt 330</del>
<del>NO</del> <del>James Russell</del>	<del>JAMES RUSSELL</del>	<del>45 Paines Ave. Apt 2</del>
<del>NO</del> <del>James Russell</del>	<del>JAMES RUSSELL</del>	<del>369 MONTGOMERY AVE 7-H</del>
<del>NO</del> <del>Maribel Luna</del>	<del>MARIBEL LUNA</del>	<del>1422 Broad St. 22</del>
<del>NO</del> <del>Maria Duran</del>	<del>MARIA DURAN</del>	<del>369 Montgomery Ave 7m</del>
<del>NO</del> <del>Hector Cruz</del>	<del>Hector Cruz</del>	<del>369 Montgomery 6F</del>
<del>NO</del> <del>Ann Schulz</del>	<del>ANN SCHULZ</del>	<del>369 MONTGOMERY 1-6B</del>
<del>NO</del> <del>Rosa Chalas</del>	<del>ROSA CHALAS</del>	<del>1 Cadillac APT 611</del>
<del>NO</del> <del>Frank Braxton</del>	<del>FRANK BRAXTON</del>	<del>1 Cadillac Drive APT 709</del>
<del>NO</del> <del>Ana Kerkuta</del>	<del>ANACONA KERKUTA</del>	<del>1 Cadillac DR #411</del>
<del>NO</del> <del>Manuel Troncoso</del>	<del>MANUEL TRONCOSO</del>	<del>1 CADILLAC DR 411</del>
<del>NO</del> <del>Elvira Troncoso</del>	<del>ELVIRA TRONCOSO</del>	<del>820 UNION AVE #2</del>
<del>NO</del> <del>Alvin S. Gentry</del>	<del>ALVIN S. GENTRY</del>	<del>1 Cadillac DR #914</del>
<del>NO</del> <del>Dolores Garcia</del>	<del>DOLORES GARCIA</del>	<del>1 CADILLAC APT 915</del>
<del>NO</del> <del>Danitzia Garcia</del>	<del>DANITZA GARCIA</del>	<del>800 ROAD ST Apt 124</del>
<del>NO</del> <del>Josef Mejia</del>	<del>JOSEF MEJIA</del>	<del>1 Cadillac Drive Apt 512</del>
<del>NO</del> <del>Lucia Abuel</del>	<del>Lucia Abuel</del>	<del>1 Cadillac Drive 520</del>
<del>NO</del> <del>Lucia Hiraldo</del>	<del>Lucia Hiraldo</del>	<del>1 Cadillac APT 217</del>
<del>NO</del> <del>Bryan Conway</del>	<del>BRYAN CONWAY</del>	<del>1 Cadillac Drive, apt 213</del>
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I, Sundee 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

Joseph DeFrancesco  
 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:

"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>Christine Walpert</del>	<del>Christine Walpert</del>	<del>41 Chapin Ave #3</del>
<del>Elaine Collins</del>	<del>Elaine Collins</del>	<del>134 Mosser 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>Eliot Ramos</del>	<del>Eliot Ramos</del>	<del>79 Wood St</del>
<del>Jenai DeLeon</del>	<del>Jenai DeLeon</del>	<del>11 Wood 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 Mincey</del>	<del>James Mincey</del>	<del>460 Charles St Apt 204</del>
<del>Thomasina Woulfe</del>	<del>Thomasina Woulfe</del>	<del>460 Charles St Apt 207</del>
<del>Rachel Bassett</del>	<del>Rachel Bassett</del>	<del>460 Charles St Apt 208</del>
<del>Sonia Rodriguez</del>	<del>Sonia Rodriguez</del>	<del>460 Charles St Apt #308</del>
<del>Belle A. Pellegrino</del>	<del>Belle A. Pellegrino</del>	<del>460 Charles St Apt #404</del>
<del>William Goldblatt</del>	<del>William Goldblatt</del>	<del>460 Charles St Apt 508</del>
<del>Mary Corrent</del>	<del>Mary Corrent</del>	<del>460 Charles St Apt 608</del>
<del>Stacy Desimone</del>	<del>Stacy Desimone</del>	<del>460 Charles St Apt 608</del>
<del>Debra J. Brown</del>	<del>Debra J. Brown</del>	<del>460 Charles St Apt 721</del>
<del>Neison Monteiro</del>	<del>Neison Monteiro</del>	<del>460 Charles St Apt 811</del>
<del>Richard Forlyne</del>	<del>Richard Forlyne</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 Mercer</del>	<del>Ernest Mercer</del>	<del>460 Charles St Apt 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

**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.

(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.

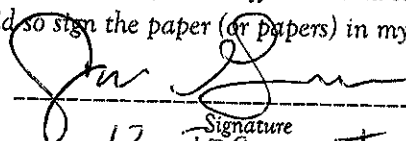
Signature (To be made in person as it appears on the voting list)	Registered Voter's Name to be Printed	Residence (Street and Number, if any, as it appears on the voting list)	
<i>Nancy Castillo</i>	NANCY CASTILLO	625 Public Street	Apt 105
<i>Ramona Pena</i>	RAMONA PENA	625 Public St B1	
<i>Edgar L. Santiago</i>	Edgar L. Santiago	625 public sh 201	
<i>Vissu Marte</i>	Vissu Marte	625 Public St. Apt 201	
<i>Maria Varga</i>	MARIA VARGA	625 Public Street	Apt 102
<i>Rosa Castro</i>	ROSA CASTRO	943 MANTON	Apt 106
<i>Charles Statham</i>	CHARLES STATHAM	993 MANTON AVE	Apt 107
<i>Denise Kelly</i>	DENISE KELLY	993 MANTON AVE	205
<i>Ennio Valentini</i>	ENNIO VALENTINI	993 MANTON AVE	201
<i>Hazel Dware</i>	HAZEL DWARE	993 MANTON AVE	301
<i>Bernard Senano</i>	BERNARD SENANO	993 MANTON AVE	Apt 310
<i>Willie B. Smith</i>	WILLIE B. SMITH	993 MANTON AVE	Apt 311
<i>Frederick Nardolillo</i>	FREDERICK NARDOLILLO	993 MANTON	Apt 313
<i>Dan Catalano</i>	DAN CATALANO	993 MANTON AVE	Apt 411
<i>Collette Flynn</i>	COLLETTE FLYNN	993 MANTON	Apt 403
<i>Kathryn Kane</i>	KATHRYN KANE	993 MANTON	Apt 404
<i>Ray Acciani</i>	RAY ACCIANI	993 MANTON AVE	
<i>Trish Otero</i>	TRISH OTERO	993 MANTON AVE	Apt 601
<i>Rose P. Disanto</i>	ROSE P. DISANTO	993 MANTON AVE	Apt 605
<i>Barbara Santilli</i>	BARBARA SANTILLI	993 MANTON AVE	
<i>Tatayanna James</i>	TATAYANNA JAMES	993 MANTON AVE	
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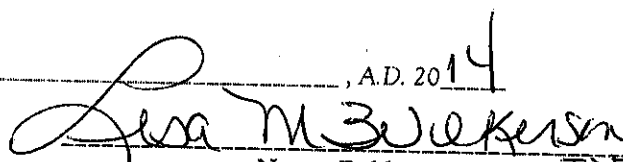
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I, Juan Garis, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
 Signature  
12 Tansett 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

  
 Notary Public  
 ID# 56729  
 Key Commission Expires  
10-7-2017

#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

15

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  
MAY 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, 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>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 J. 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>Aiben Roland</i>	Aiben 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>Victor Frank</i>	Victor Frank	481 Pleasant Valley Parkway
<i>Michael J. Frank</i>	Michael J. Frank	481 Pleasant Valley Parkway
<i>Thomas Frank</i>	Thomas Frank	481 Pleasant Valley Parkway
<i>Douglas T. Sall</i>	Douglas Sall	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.

(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>Seth Jones</i>	Seth Jones	250 Gallatin St
<i>Linda Benton</i>	Linda Benton	226 Gallatin St
<i>CLEOR M. FRANCIS</i>	CLEOR M. FRANCIS	218 GALLATIN ST.
<i>MARIE S. THIBEAULT</i>	MARIE S. THIBEAULT	170 GALLATIN ST
<i>Yudeh V. Dunbar</i>	Yudeh V. Dunbar	171 Gallatin St
<i>Rosa Ramos</i>	Rosa Ramos	175 Gallatin St
<i>Joyce Sylvia</i>	Joyce Sylvia	215 Gallatin St
<i>DELORES M. GIBBONS</i>	DELORES M. GIBBONS	212 M GALLATIN ST
<i>JAMES W. GIBBONS</i>	JAMES W. GIBBONS	227 GALLATIN ST.
<i>Darryl R. Jett</i>	Darryl R. Jett	231 Gallatin St.
<i>Diane Hall</i>	Diane Hall	231 Gallatin St
<i>Yokely Lugo</i>	Yokely 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 DeFrancisco  
Notary Public  
commission expires 10/19/16  
Joseph DeFrancisco

**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 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, 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>NO</del> <del>George D. [unclear]</del>	<del>George D. [unclear]</del>	<del>67 Ontario St 2nd</del>
<del>George D. [unclear]</del>	<del>George D. [unclear]</del>	<del>67 Ontario St 2nd</del>
<del>Denise Hallway</del>	<del>Denise Hallway</del>	<del>45 Alta St 117 Pocasset</del>
<del>Wendy D. Segura</del>	<del>Wendy D. Segura</del>	<del>237 Vermont Ave Providence</del>
<del>Fanny E. Castillo</del>	<del>Fanny E. Castillo</del>	<del>21 Sterling Ave. Apt 7</del>
<del>HELENA D. [unclear]</del>	<del>HELENA D. [unclear]</del>	<del>35 BROADWAY ST</del>
<del>ANTONIO C. LOPES</del>	<del>ANTONIO C. LOPES</del>	<del>197 Dams St. Providence</del>
<del>SAIRA S. Santos</del>	<del>SAIRA S. Santos</del>	<del>225 Public St #305</del>
<del>ERNEST PENN</del>	<del>ERNEST PENN</del>	<del>43 GRAND ST. #2</del>
<del>Alex De La Rosa</del>	<del>Alex De La Rosa</del>	<del>21 Laban St 1</del>
<del>MICHAEL F. Goodine</del>	<del>MICHAEL F. Goodine</del>	<del>28 Grand St</del>
<del>Joseph [unclear]</del>	<del>Joseph [unclear]</del>	<del>28 GRAND ST</del>
<del>JOSE S. Sanchez</del>	<del>JOSE S. Sanchez</del>	<del>32 DARTMOUTH AV</del>
<del>DOMINGO Hernandez</del>	<del>DOMINGO Hernandez</del>	<del>20 GRAN ST 106</del>
<del>MERCEDES H. [unclear]</del>	<del>MERCEDES H. [unclear]</del>	<del>20 GRAN ST 209</del>
<del>ISRAEL Ruiz</del>	<del>ISRAEL Ruiz</del>	<del>20 JEFF ST 204</del>
<del>ELISA Colon</del>	<del>ELISA Colon</del>	<del>206 VAD ST 214</del>
<del>ESTEBAN Colon</del>	<del>ESTEBAN Colon</del>	<del>20 GRAN ST 204</del>
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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

Paul 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 OUR  
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 Perafa	14 ANCEM ST RT PROV. 02908
<i>[Signature]</i>	VICTOR PERAZZO	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 L. Corral	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 Anna Talbot  
Notary Public

My commission expires  
4-4-16

**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 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.

(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
✓ 2. <i>[Signature]</i>	Norlan Olivo	131 Washington St
✓ 3. <i>[Signature]</i>	Tess 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
✓ 9. <i>[Signature]</i>	Austin G'Griffa	99 Rugby St.
✓ 10. <i>[Signature]</i>	Olivia Jenkins	26 Bainbridge Ave
<del>11. <i>[Signature]</i></del>	<del>Jess G'Griffa</del>	<del>1055 Montpelier Ave</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 Bunker St
✓ 15. <i>[Signature]</i>	CHRISTIANE MARIE LANDRY	PIERRE 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 Sylamore St Prov 02909
✓ 19. <i>[Signature]</i>	Jolayomi Ilori	80 Sylamore St Prov. 02909
✓ 20. <i>[Signature]</i>	Joseph M. Marsone	23 Canal St Prov. 02909
✓ 21. <i>[Signature]</i>	Peter Siemaszko	24 Canal St Prov 02909
✓ 22. <i>[Signature]</i>	BEN TYLER	12 GIBBON CT. 02909
✓ 23. <i>[Signature]</i>	EMILY COSTA	23 Canal St 02909
24. <i>[Signature]</i>	MIRIAM A. PANADA	653 MAINTON AV. PROV. 02909
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<del>OK</del> [Signature]	Joseph DeFrancesco	101 America St Apt 2
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<del>OK</del> [Signature]	Emmett Fitzgerald	109 Princeton Ave
<del>OK</del> [Signature]	Rachel Levenson	75 Watimer Ave
<del>OK</del> [Signature]	Laura Brown-Lavoie	18 Hudson St.
<del>OK</del> [Signature]	Simcha Davis	85 Bradley St
<del>OK</del> [Signature]	Victoria Ruiz	101 America St Apt 2
<del>OK</del> [Signature]	Austin G'NOFFA	99 Rugby St.
<del>OK</del> [Signature]	Olivia Jenkins	26 Baldwin Bridge Ave
<del>OK</del> [Signature]	<del>James J. Greene</del>	<del>1055 Main St</del>
<del>OK</del> [Signature]	Tim ROVINELLI	49 Midway St
<del>OK</del> [Signature]	Andrew Cook	198 Carpenter St #2
<del>OK</del> [Signature]	Bridget Ferrell	69 Brown St
<del>OK</del> [Signature]	CHRISTIANE MARIE LANDRY	PIERRE STREET PVD 02909
<del>OK</del> [Signature]	Olivia Morvath	40 Wood St Apt 2 PVD 02909
<del>OK</del> [Signature]	Penny Robinson	95 Willow Rd
<del>OK</del> [Signature]	Clement Ilori	80 Sycamore St Prov 02909
<del>OK</del> [Signature]	Jolayomi Ilori	80 Sycamore St Prov. 02909
<del>OK</del> [Signature]	Joseph M. Malone	23 Carver Ct Prov. 02909
<del>OK</del> [Signature]	Peter Sietina	24 Carver Ct Prov 02909
<del>OK</del> [Signature]	BEN TYLER	12 GIBBON CT. 02909
<del>OK</del> [Signature]	EMILY COSTA	23 CENOT CT 02909
<del>OK</del> [Signature]	MURJANNA A. PARADA	653 MAINTON 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

Rosamond Anna Talbot  
Notary Public

My commission expires 4-4-16



#4278

**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

(1)

**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  
2019 APR 11 P 12:52

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ORDINANCE TO INCREASE SPENDING IN OUR  
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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.

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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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(e) **Effective Dates**

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

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

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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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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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11/11

(i) Severability.

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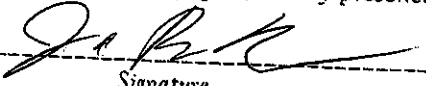
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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)
	Loreenny De La Cruz	50 Cactus St Prov. RI 02905
	Nelly M. De la Cruz	50 Cactus St Prov. RI 02905
	MARIA MENDEZ	196 Gallup St Prov RI 02905 Apt 1
	VIRCANIA FRIAS	42 Somerset St Prov RI 02907
	Zaida Hernandez	230 Lynch St Providence 02908
	Carmen T. Rivera	118 Wood St. Prov RI 02909
	TOMAS FERRE	219 CALIFORNIA AVE 02909 PRov
	Liz Marie Santiago	69 Ontario St 02907 R.I. Apt 1
	Deborah Perry	670 North Main St. 02904
	REYMOND BREWSTER	670 North Main St Apt 2 E
	REYMOND BREWSTER	670 North Main St Prov RI 02904 Apt 2 H
	R.M. Ramonita	670 N Main St Providence 02904 ATTN: R.L.
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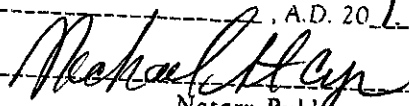
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I, Joseph DeFrancesco, of the City of Providence, under oath, make affidavit and say that the signers of the within initiative petition paper (or papers) did so sign the paper (or papers) in my presence.

  
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**

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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, 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.
Barbara Thompson	BARBARA Thompson	575 Wickenden ST
Debra Brown	Debra Brown	165 Gallup st Pro
Louise McCoub	Louise McCoub	575 Wickenden ST
Inne Chrrier	Inne Chrrier	575 Wickenden Prov.
Joao C. De Rosa	JOAO C. DE ROSA	575 WICKEN ST 401
Janita Hammond	Janita Hammond	575 Wickenden St 407
Isabel Harris	Isabel Harris	575 Wickenden St (411)
Hagop Annahian	HAGOP ANNAHIAN	575 Wickenden St Apt 505
Grace Giamarchi	Grace Giamarchi	575 WICKENDER ST 503
Antonio Silva	Antonio Silva	575 Wickenden St
Fred Williamson	FRED WILLIAMSON	575 WICKENDER ST 603
Carole Finger	CAROLE FINGER	575 Wickenden St, Pro. # 607
Richard Bagrie	Richard Bagrie	575 Wickenden St Prov RI 612
Stewart Stolworth	STEWART STOLWORTH	575 WICKENDER ST # 710
Victory D. Periel	VICTORY D. PERIEL	575 Wickenden 713
Lewis P. Rodriguez	LEWIS P. RODRIGUES	115 GOLDSMITH AV. R.I.
James Tunstall	JAMES TUNSTALL	575 Wickenden st 813
Alma Nury	ALMA NURY	575 WICK
Ron Grandy Jr	RON GRANDY JR	575 WICKENDEN
Geraldine M. Jirik	Geraldine M. Jirik	575 Wickenden St.
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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.

Stephanie Medina  
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

[Signature]  
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"

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,

CITY OF PROVIDENCE  
BOARD OF CANVASSERS  
REGISTRATION  
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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.

(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 02909</del>
<del>Itamar Benitez</del>	<del>Itamar Benitez</del>	<del>99 Porter St Prov RI 02907</del>
<del>Jorge L. Rodriguez</del>	<del>Jorge L. Rodriguez</del>	<del>32 Call St. Prov. RI 02905</del>
<del>Francin U. Cruz</del>	<del>Francin U. Cruz</del>	<del>4 South B, 1st. 213 02904</del>
<del>Sonia Javed</del>	<del>Sonia Javed</del>	<del>658 Chalkstone Ave. 1st Prd. 02907</del>
<del>Manoel Justo</del>	<del>Manoel Justo</del>	<del>140 Laurast Prov RI 02907</del>
<del>Bergica Guaba</del>	<del>BERGICA GUABA</del>	<del>48 PHEBE ST. 2A Prov. RI 02904</del>
<del>112 Indiana Ave.</del>	<del>112 Indiana Ave.</del>	<del>112 Indiana Ave. 02905</del>
<del>Rosario Cruz</del>	<del>ROSARIO CRUZ</del>	<del>112 Indiana Ave. 02905</del>
<del>Luis P. Richards</del>	<del>Luis P. Richards</del>	<del>288 New York Ave Prov RI 02905</del>
<del>Graciela Cruz</del>	<del>GRACIELA CRUZ</del>	<del>49 MARLBOROUGH ST PROV. RI 02907</del>
<del>Thome Vazquez</del>	<del>Thome Vazquez</del>	<del>140 LAURA ST 401-654-3225</del>
<del>Adama Villafane</del>	<del>Adama Villafane</del>	<del>1030 Atwell Ave</del>
<del>Ada Perez</del>	<del>Ada Perez</del>	<del>711 Brigham St #3</del>
<del>Carmen Torres</del>	<del>Carmen Torres</del>	<del>10 Massie Ave Prov. RI</del>
<del>TEOUS, E. DIAZ</del>	<del>TEOUS, E. DIAZ</del>	<del>1108 Westminster St</del>
<del>MARITZA Sanchez</del>	<del>MARITZA Sanchez</del>	<del>189 W. WASHINGTON ST 02904</del>
<del>Dino Montez</del>	<del>Dino Montez</del>	<del>85 Abbott Street</del>
<del>JARED PLANCIO</del>	<del>JARED PLANCIO</del>	<del>131 WASHINGTON ST, PROV 02909</del>
<del>Emmett Fitzgerald</del>	<del>Emmett Fitzgerald</del>	<del>45 Oak Street, Providence, 02909</del>
<del>Kevin Girard</del>	<del>Kevin Girard</del>	<del>131 Washington St. #308 Providence RI</del>
<del>Alisa B. Gallo</del>	<del>Alisa B. Gallo</del>	<del>66 Vernon St. Prov. RI 02903</del>
<del>MILCIANES FELIZ</del>	<del>MILCIANES FELIZ</del>	<del>9 PARKS AVE. apt 2K</del>
<del>RAFAEL DE LA ROSA</del>	<del>RAFAEL DE LA ROSA</del>	<del>9 PARKS AVE APT 4/G</del>
<del>JANIS COMES</del>	<del>JANIS COMES</del>	<del>1221 Elmwood Ave</del>
<del>CDWARD TENKING</del>	<del>CDWARD TENKING</del>	<del>9 PARKS AVE 6-K</del>
<del>Elsa Vargas</del>	<del>Elsa Vargas</del>	<del>9 PARKS AVE 6H</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 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

Rosamund Gunn-Talbot  
Notary Public

My commission expires  
4-4-16

**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  
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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)
OK 1. DAVID RATSOMBATH	DAVID RATSOMBATH	145 CALL ST PROV. RI 02905
N 2. <del>ELIAS CAVEZAS</del>	<del>ELIAS CAVEZAS</del>	<del>210 CALL ST.</del>
O 3. <del>James Adams</del>	HUGO ADAMES	230 CALL ST. PROV. RI 02905
U 4. <del>Elleanor Monteiro</del>	Elleanor Monteiro	100 Call St
N 5. <del>Robert A. Janney</del>	Robert A. Janney	86 CALL ST. PROV. RI 02905
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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 Mowsey 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 Talbot  
Notary Public  
My commission expires  
4-4-16



**City of Providence**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

(5)

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, 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.

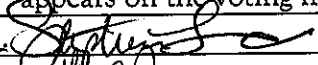
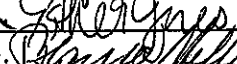
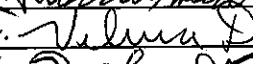

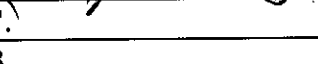
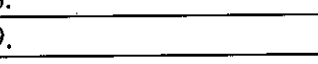
(2) If the employee is the prevailing party in any such legal action, the court shall award the employee's reasonable attorney's fees in addition to the costs recoverable.

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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.

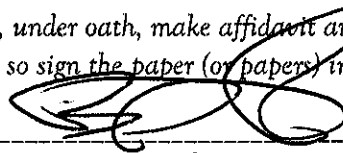
Each of the signers of this paper by so signing severally certifies that he or she is a registered voter in the City of Providence.

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)
1. 	STEPHANIE LARRIVERO	71 Chapin Ave, PVD. 02909
2. 	ESTHER JONES	78 WILLOW ST, PVD 02909
3. 	Bianca Mello	118 Messer St, PVD. 02909
4. 	Vilma Diaz	33 Wood St
5. 	Jenna Legault	57 Wood St
6. 	Barry P Cook	39 Dedham 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


Providence, R.I. 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

**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  
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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)
	Emmanuel Falck	28 Tenth St., Providence
	Maria Fajardo	51 Alvin St Providence
	Thomas A Cahill III	114 Wyndham Ave. Providence
	LeeAnn Byrne	199 Dexter St, Apt 1R
	Paula Hodges	149 Bath St #1 02908
	William Fischer	76 President Ave, 02906
	Nicole Coppa	160 Wyndham Ave, Providence, RI 02908
	James Mahoney	30 10th St. Providence, RI 02906
	Katherine Cielinski	62 Camp St. #2 Providence RI 02906
	J. Aaron Ragnberg	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]  
 -----  
 28 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