



Kriss Worthington

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CONSENT CALENDAR

September 11, 2007

To: Honorable Mayor and Members of the City Council

From: Councilmember Kriss Worthington

Subject: Supporting Boycott Of Woodfin Suite Hotels

RECOMMENDATION:

Adopt a Resolution endorsing the boycott of Woodfin Suite Hotels.

BACKGROUND:

In response to unjust conditions that hotel workers faced, in the fall of 2005, EBASE (East Bay Alliance for a Sustainable Economy) as well as UNITE HERE Local 2850 and other community groups placed Measure C on the ballot. Measure C not only guaranteed that workers received a living wage but also sets maximum safe workload levels for housekeepers. However when the law finally went into effect, hotels in Emeryville refused to abide by it. EBASE began to educate workers about their rights under the law and after meeting with hotel management and lobbying the Emeryville City Council many of these hotels began to enforce the law. Woodfin Suite Hotels for instance reduced their housekeeping workloads, however they also began to intimidate and harass workers who were asserting their rights under Measure C. In October 2006, nearly 30 Woodfin workers were given written notices suggesting that the company found problems with their Social Security numbers and claimed that they could not continue to work unless they corrected the problem. Many of these workers had been working at the hotel for years and were never confronted with this problem. It was only after they started standing up for their rights, did the hotel raise this issue. On December 15th, 2006, the hotel followed through with its threats and notified 21 workers that they would be fired due to Social Security no-matches. After strong public pressure and a lawsuit, a judge issued a temporary restraining order keeping the workers on the job for another month. In January, the workers won an injunction preventing the hotel from firing the workers until the City of Emeryville completed its investigation into the issue of non-compliance with Measure C. In light of the Woodfin's efforts to avoid compliance with Measure C, the Emeryville City Council approved an ordinance preventing hotels from firing workers who have submitted Measure C complaints. Additionally, the City finally adopted regulations to enforce the law and investigate complaints of non-compliance with Measure C. In June of this year, the City completed its investigation of Woodfin's non-compliance with Measure C and ordered back wages for over 50 workers as well as other penalties and fees. Woodfin has appealed the decision and the Emeryville City Council will be considering the appeal at their meeting on August 27, 2007.

Measure C was adopted to require hotel owners to finally provide fair wages and respect to their workers. Woodfin has flagrantly defied the voter-approved ordinance and has intimidated and harassed its workers. Woodfin Suites has openly tried to stop workers from organizing for better wages and benefits and it is important that the City of Berkeley express its support for the hotel workers in their fight and adopt a policy boycotting Woodfin Suites Hotels.

FINANCIAL IMPLICATIONS:

NONE

CONTACT PERSON:

Councilmember Kriss Worthington, 981-7170.

Attachments:

1. Resolution

RESOLUTION NO.

–N.S.

RESOLUTION ESTABLISHING A CITY OF BERKELEY POLICY TO BOYCOTT
WOODFIN SUITE HOTELS

WHEREAS, workers at hotels throughout the East Bay Area face long hours, unfair working conditions and unjust wages; and

WHEREAS, in response to these conditions, in the fall of 2005, EBASE (East Bay Alliance for a Sustainable Economy) as well as UNITE HERE 2850 and other community groups placed Measure C on the Emeryville ballot; and

WHEREAS, Measure C not only guaranteed that workers receive a living wage but also set maximum safe workload levels for housekeepers; and

WHEREAS, Measure C passed in November of 2005 and once the law went into effect many hotels in Emeryville refused to abide by it; and

WHEREAS, Because of these hotels' unwillingness to follow Measure C, EBASE began to educate workers about their rights under the law and after meeting with hotel management and the Emeryville City Council many of these hotels began to enforce the law; and

WHEREAS, Woodfin Suite Hotels decided to reduce their housekeeping workloads in response to Measure C, while at the same time intimidating and harassing workers who were asserting their rights for fair wages and working conditions; and

WHEREAS, In October 2006, nearly 30 Woodfin workers were given written notices suggesting that the company found problems with their Social Security numbers and that they would not be able to continue to work unless they corrected the problem; and

WHEREAS, Many of these workers had been working at the hotel for years and were never confronted with this problem before; and

WHEREAS, On December 15, 2006, the hotel followed through with its threats and notified 21 workers that they would be fired due to Social Security no-matches; and

WHEREAS, After strong public pressure and a lawsuit against Woodfin Suite Hotels, a judge issued a temporary restraining order keeping the workers on the job for another month; and

WHEREAS, In January 2007, the workers won an injunction on the issue of non-compliance with Measure C; and,

WHEREAS, In light of the Woodfin Suite Hotels efforts to avoid compliance with Measure C, the Emeryville City Council approved an ordinance preventing hotels from firing workers who have submitted Measure C complaints. Additionally, the City finally adopted regulations to enforce the law and investigate complaints of non-compliance; and

WHEREAS, In June of this year, the City completed its investigation of Woodfin's non-compliance with Measure C and ordered back wages for over 50 workers as well as other penalties and fees; and,

WHEREAS, Woodfin Suite Hotels appealed the city's determination and on August 27, 2007 the Emeryville City Council unanimously upheld its determination of non-compliance; and

WHEREAS, Woodfin workers are still fighting to require management to comply with Measure C and to provide better wages and working conditions; and

WHEREAS, the Berkeley City Council recognizes the importance of Woodfin Suite Hotel to provide fair wages, ensuring fair wages are paid, that employees are treated fairly, and that they receive basic benefits such as health coverage; and

WHEREAS, the City of Berkeley continues its support of labor by calling on the community of Berkeley and other concerned individuals, groups and associations to boycott all services of the Woodfin Suite Hotels; and

THEREFORE, BE IT RESOLVED that the Berkeley City Council recognizes the employees attempt to require Woodfin Suite Hotels provide fair wages and working conditions.

BE IT FURTHER RESOLVED that the Berkeley City Council urges the citizens of the City of Berkeley to boycott all business with Woodfin Suite Hotels.