



**City of Chicago**  
**Business Affairs and Consumer Protection**

**FREQUENTLY ASKED QUESTIONS**  
**HOTEL SEXUAL HARASSMENT POLICY AND PANIC BUTTON REQUIREMENTS**

Chicago Municipal Code 4-6-180(e) establishes additional regulations for hotels in Chicago. This ordinance, effective on July 1, 2018, requires that hotels establish and provide their employees with their sexual harassment policy and provide panic buttons to covered employees. This notice provides an overview of the regulations along with frequently asked questions.

All hotel establishments shall maintain a written anti-sexual harassment policy to protect employees against sexual assault and sexual harassment by guests. The policy shall describe the procedures that all complaining employees shall follow in such cases. The policy shall be available for inspection by a City of Chicago official.

All hotel establishments shall provide any complaining employee with necessary paid time off to sign a complaint with the Police Department against the offending guest and to testify as a witness at any legal proceeding that may ensue because of a complaint.

All hotel establishments shall provide all employees with the current written anti-sexual harassment policy in English, Spanish and Polish and post such language policies in conspicuous places in the hotel.

It shall be unlawful for any hotel establishment to retaliate against any employees for reasonably using a panic button or notification device, or for disclosing, reporting or testifying about any complaint alleging a violation of the amended ordinance. The Ordinance is enforced by the Department of Business Affairs and Consumer Protection (BACP) along with City of Chicago Commission on Human Rights (CCHR).

When BACP conducts a compliance check they will ensure that the Sexual Harassment and Panic Button provisions of the Ordinance are being met.

Persons who hold or who are required to hold a hotel license under Section 4-6-180 of the Municipal Code of Chicago ("hotel employers") are required under Section 4-6-180(e) of the Code to provide panic buttons to certain hotel employees ("covered employees").

A covered employee is defined as employees who are assigned to clean or to inventory, inspect or restock supplies in a guest room or restroom in circumstances in which no other employee is present in such room.

The ordinance requires that covered employees are to be provided with a panic button and allows covered employees to take certain actions after activating the panic button. The following questions and answers describe the rights and responsibilities of hotel employers and covered hotel employees related to panic buttons.

**1. When must employers provide a panic button to an employee?**

A hotel employer must provide a panic button to any employee who is assigned to clean a guest room or restroom, or to inventory, inspect or restock supplies in a guest room or restroom, under circumstances where no other hotel employee is present in the room. This requirement applies to all covered hotel employees regardless of the employee's position or official title. For example: If a hotel housekeeper, or a hotel employee other than a housekeeper, is assigned to work alone to clean a guest room or restroom or to inventory, inspect or restock supplies in a guest room or restroom, such person must be provided with a panic button.

**2. What is a panic button?**

A panic button is a portable emergency contact device that the covered employee carries on his or her person, and that can be quickly and easily activated by the employee, to summon to the employee's precise location in the hotel, using GPS coordinates, prompt assistance by a hotel security officer, manager or designated staff member. Examples of what is not considered a panic button are: iPad, walkie talkies, two-way radios, dialing 0 from the room's phone.

**3. What must a panic button do?**

When activated, the panic button must effectively summon to the employee's precise location prompt, on-scene assistance from a hotel security officer, security guard, manager or other appropriate person designated by the hotel employer.

**4. Which panic buttons will meet the ordinance's requirements?**

When activated, some Code-compliant panic buttons may send a silent transmission for assistance to appropriate hotel personnel; others may also produce a loud noise when pressed. Some Code-compliant panic buttons may be worn around the wrist, clipped on a belt buckle, or attached to a lanyard. However, not all "panic buttons" meet the requirements of Chicago's Ordinance. In order for a panic button to pass muster under the Ordinance, the device must have following attributes or capabilities:

- The panic button must be portable, and easily carried and activated by the employee;
- The panic button must summon prompt assistance from appropriate persons designated by the hotel employer when activated;
- The panic button must not require continued activation by the employee to sustain the alert (e.g. simple whistles, walkie-talkies, mugger buttons or other non-GPS supported notification devices are not panic buttons within the meaning of Chicago's Ordinance);
- The panic button must have GPS capabilities and be able to identify the exact location of the employee in real time.

**5. Who is responsible for maintaining in good working order the panic button and any equipment necessary for its use?**

The hotel employer is responsible for providing a *working* panic button to their covered employees. For instance, if the panic button is battery operated, the employer must ensure that the batteries are charged/full. If the panic button requires cellular data, Wi-Fi, Bluetooth, or wireless internet for its use, the hotel employer is responsible for ensuring that each room is outfitted with the proper equipment, service and mechanisms so that the panic button will function as intended, and that such equipment, service or mechanisms are maintained in good working order. It is the employer's responsibility to ensure that the panic button performs the requisite tasks.

**6. What legal options exist as an alternative to providing panic buttons to covered employees or in cases where the equipment necessary for the panic button's use is not working properly?**

The Ordinance requires hotel employers to provide working panic buttons to covered employees who are assigned clean a guest rooms or restroom, or who are assigned to inventory, inspect or restock supplies in a guest room or restroom *under circumstances where no other employee is present in such room*. Because a working panic button is not required in cases where two or more hotel employees are present in the guest room or restroom when such room is being cleaned or when supplies in such rooms are being inventoried, inspected or restocked, a hotel employer who does not provide covered employees with a panic button, or who is having technical problems with the equipment, service or other mechanisms necessary to ensure that the panic button is functioning effectively, can comply with the Ordinance by requiring at least two employees to be present in the guest room or restroom when such room is being cleaned or when the supplies in such room are being inventoried, inspected or restocked.

**7. Who pays for the panic button?**

The hotel employer is responsible for paying for and providing a working panic button to covered employees. A covered employee cannot be charged for the cost of purchasing or maintaining the panic button.

**8. What are protected uses of the panic button?**

An employee is legally authorized to use a panic button to summon help if the employee reasonably believes that an ongoing crime, sexual harassment, sexual assault or other emergency is occurring in the employee's presence.

**9. What may an employee do after using the panic button?**

The employee can cease work and leave the immediate area where danger is perceived until hotel security personnel or members of the Police Department arrive to aid. The hotel employer cannot take retaliatory action against an employee who, after reasonably using a panic button, ceases work and immediately leaves the area where danger is perceived.

**10. Are there negative repercussions for employees if they do not carry the panic button?**

Ordinance requires that hotel employers provide the panic button to covered employees for their safety. While the ordinance does not regulate the employee's use of the panic button, it may be important for the employer to establish a policy and or be able to document that a button has been issued to its employees as required by ordinance.

**Note:** The questions and answers in this document are not a substitute for laws and regulations and do not constitute legal advice. Businesses are responsible for complying with all legal requirements.