

ORDINANCE NO. 176580

An ordinance adding Article 4 to Chapter 3 of Division 7 of the Los Angeles Administrative Code concerning the requirement of labor peace agreements for hospitality operations in which the City of Los Angeles has a proprietary interest.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. A new Article 4 is added to Chapter 3 of Division 7 of the Los Angeles Administrative Code to read:

**CHAPTER 3, ARTICLE 4**

**LABOR PEACE AGREEMENTS FOR HOTELS ON CITY-OWNED PROPERTY**

**Section**

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| <b>7.200</b> | <b>Purpose.</b>   |
| <b>7.201</b> | <b>Definitions.</b>   |
| <b>7.202</b> | <b>No Strike Pledge Requirement for Hospitality Operations.</b> |
| <b>7.203</b> | <b>Limitations.</b>   |

**Sec. 7.200. Purpose.**

The City of Los Angeles has a financial and proprietary interest in hospitality operations that lease real property from the City. These operations base their lease, rental or license payments to the City in part on the revenue they generate. Therefore, it is essential that these operations conduct business efficiently and without interruption. The City has found that the efficient and uninterrupted operation of hospitality operations may be threatened by labor disputes. The City's investment in these operations must be shielded from any impact that labor disputes may have on the revenue of these hospitality operations. The City has further found that the City can only protect its investment by requiring its hotel operations lessees to sign contracts with the labor organizations that represent employees in the hospitality industry. These contracts will prohibit the labor organizations and its members from engaging in picketing, work stoppages, boycotts or other economic interference with the business of the hospitality operators, for the duration of their lease with the City.

**Sec. 7.201. Definitions.**

- (a) "City" means the City of Los Angeles.
- (b) "City Council" means the City Council of the City of Los Angeles.

- (c) "Hospitality Operation" means the general business operations of a hospitality operator.
- (d) "Hospitality Operations Lessee" means any company with a lease from the City for a hotel or motel, providing lodging and other guest accommodations.
- (e) "Hospitality Workers" means all full-time and part-time employees in a Hospitality Operation, except supervisors, managers and guards.
- (f) "Labor Organization" means an organization of any kind, or an agency or employer representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.
- (g) "Lease" means any lease or license from the City to use any City property for Hospitality Operations.
- (h) "No-Strike Pledge" means a provision in a labor peace agreement prohibiting the Labor Organization and its members from engaging in picketing, work stoppages, boycotts or any other economic interference with Hospitality Operations of a Hospitality Operations Lessee for the duration of the City lease term.
- (i) "Person" means a sole proprietorship, partnership, corporation, joint venture or business organization of any kind.

**Sec. 7.202. No-Strike Pledge Requirement for Hospitality Operations.**

The City shall not execute any Lease with a Hospitality Operations Lessee unless and until the Hospitality Operations Lessee has signed a labor peace agreement with any Labor Organization seeking to represent Hospitality Workers at the premises covered by the Lease. Each labor peace agreement must contain a No-Strike Pledge. A Hospitality Operations Lessee shall be relieved of the obligations of this section with respect to a Labor Organization if the Labor Organization places conditions upon its No-Strike Pledge that the City Council finds, after notice and hearing, to be arbitrary or capricious.

**Section 7.203. Limitations.**

- (a) Nothing in this ordinance requires Hospitality Operations Lessee to recognize a particular Labor Organization.
- (b) This ordinance is not intended to, and shall not be interpreted to, enact or express any generally applicable policy regarding labor-management

relations or to regulate those relations in any way.

- (c) This ordinance is not intended to favor any particular outcome in the determination of employee preference regarding union representation.
- (d) Nothing in this ordinance permits or requires the City or any Hospitality Operations Lessee to enter into any agreement in violation of the National Labor Relations Act of 1935, approved July 5, 1935 (49 Stat. 449; 29 U.S.C.S. § 151 *et seq.*).

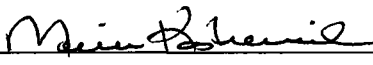
**Section 7.204. Severability.**

If any section or any portion of a section of this ordinance is declared illegal, invalid or inoperative, in whole or in part, by any court of competent jurisdiction, the remaining sections and all portions not declared illegal, invalid or inoperative shall remain in full force or effect, and no such determination shall invalidate the remaining sections or portions of the sections of this ordinance.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with City Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

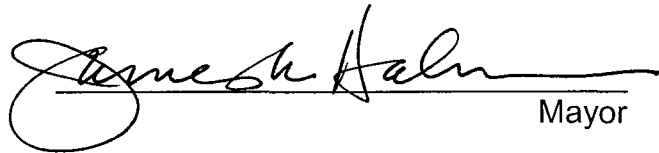
I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAR 29 2005.

FRANK T. MARTINEZ, City Clerk

By  Deputy


APR 04 2005

Approved \_\_\_\_\_

 Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By   
Josh Pertula, Special Assistant City Attorney

Date \_\_\_\_\_

File No. 04-1646

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176580 - Adding Article 4 to Chapter 3 of Division 7 of the Los Angeles Administrative Code concerning the requirement of labor peace agreements for hospitality operations in which the City of Los Angeles has a proprietary interest - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on March 29, 2005, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on April 12, 2005, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on April 12, 2005 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 12th day of April 2005 at Los Angeles, California.

  
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Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: May 22, 2005 Council File No. 04-1646  
(Rev. 3/21/03)