

# UNITE HERE! Local 11

November 15, 2023

Douglas T. Sloan  
Santa Monica City Attorney  
1685 Main Street, Room 310  
Santa Monica, CA 90401

Re: Hotel Employers' and Subcontractors' Compliance with Santa Monica  
Worker Protection Laws

Dear City Attorney Sloan:

We write to express great concern regarding the alleged exploitation of unhoused refugees by hotels and staffing agencies in Santa Monica and to ask that your agency investigate this matter. We know your office has worked successfully on employer compliance with City worker protection laws in the past.<sup>1</sup>

As you may know, members of UNITE HERE Local 11 ("Union") have recently gone on strike at hotels in Santa Monica and other cities in the region. It has come to the Union's attention that during several recent strikes, hotel employers in Santa Monica and Los Angeles have hired subcontractors who employ unhoused refugees, many of whom are from Venezuela, to replace labor particularly in housekeeping departments. Some of the refugee workers we have spoken were sent from Texas on buses by Texas Governor Abbott. Others, many of whom are fleeing violence in their home country, made their way to Los Angeles of their own volition and are seeking asylum. Many of them remain unhoused and live in shelters on Skid Row in Downtown Los Angeles or nearby.

As a union that represents low-wage workers who are predominantly immigrants, we are deeply concerned about the working conditions these refugees have been forced to endure at the high-end hotels where they are working. In particular, based on our interviews with some of them, we have reason for concern that violations in the following areas of Santa Monica law may have occurred at the Le Meridien Delfina:

- Hourly wages below the applicable minimum wages in Santa Monica, which is currently set at \$19.73;
- Failure to provide personal security devices (or "panic buttons") as required by SMMC § 4.67.020(a); and

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<sup>1</sup> See, e.g. "City Attorney and County Wage Enforcement Team Favorably Resolves Two Wage Enforcement Cases at Loews Hotel," City of Santa Monica, Aug. 21, 2018, <https://www.santamonica.gov/press/2018/08/21/city-attorney-and-county-wage-enforcement-team-favorably-resolves-two-wage-enforcement-cases-at-loews-hotel>

- Failure to provide training on the use of such devices as well as other rights to protect workers from threatening conduct, as required by SMMC § 4.67.020

Note that we have also requested that the California Labor Commissioner investigate the hotels' and subcontractors' compliance with state law, including failure to provide itemized wage statements, rest breaks, and meal periods, among other issues. The investigation is underway.

Additionally, we are aware of at least one instance of a hotel in Los Angeles utilizing what we believe was the same staffing agency used at the Le Meridien Delfina employing a minor under 18 years of age who missed school to perform this work. The *Los Angeles Times* reported on this case in an [in-depth article](#), stating that "one migrant worker, a 17-year-old student at Belmont High School who requested anonymity, said he skipped two days of school to clean rooms at the Holiday Inn LAX."<sup>2</sup> The article stated: "He and his mother, who secured work as a housekeeper at the Holiday Inn, received payment via banking app Zelle from an agency called Arya Staffing Services Inc. Aimbridge Hospitality did not respond to questions about whether staffing agencies it used had secured appropriate permits to employ minors." We believe that the City must ensure that the same alleged practices have not occurred and do not occur in Santa Monica. Our members have also raised concerns about the conditions of migrant workers at the Viceroy Hotel who not only worked at the hotel during a strike but also stayed on the property throughout the day and night.

These examples also highlight a fundamental problem of labor enforcement in the hospitality industry: how workers or enforcement agencies can keep track of the many shadowy staffing agencies that are official employers that pay the checks of employees, a problem that persists even at wealthy large corporations with professional human resources departments. We believe that in these cases, it would be worthwhile for the City to gather information about each staffing agency utilized by the hotels named in this letter, and to collect basic information about each company, the firms with which they work with, and the employees employed by each firm. This level of basic information may seem obvious, but we are not sure that any government agency can even identify who has done work in these hotels, which would be necessary to conduct a basic assessment of whether the applicable labor laws have been followed. Additionally, we believe that the City should obtain records from the hotels concerning their treatment of these workers and the circumstances by which they came to California and were brought to the Le Meridien Delfina and Viceroy hotels.

As you may know, Clergy and Laity United for Economic Justice will hold a Truth Commission concerning the exploitation of the unhoused refugees, as well as instances of violence against protesting workers during the ongoing labor dispute, on

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<sup>2</sup> Suhauna Hussain, "L.A. hotels hire migrants from Skid Row homeless shelter to replace striking workers. Gascón investigates," LA Times, Oct. 23, 2023, <https://www.latimes.com/business/story/2023-10-23/hotels-are-replacing-striking-workers-with-migrants-from-skid-row-shelter>

Thursday, November 16, 2023. The event will take place at 5:00 p.m. at St. Augustine By-the-Sea Church at 1227 4<sup>th</sup> Street. We strongly encourage your office to attend.

We appreciate your attention to these critically important matters.

Sincerely,

/s/

Jeremy Blasi  
General Counsel  
UNITE HERE Local 11

cc:

Mayor Glean Davis  
City Manager David White