



New Jersey's

PANIC DEVICE

LAW



New Jersey's **Panic Device Law**

Requires employers operating hotels/establishments with 100 or more guest rooms to provide panic devices to employees assigned to work alone in rooms.

Panic Device Statute and Regulations

- The Panic Device Law became effective on Dec. 1, 2019.
- Regulations spelling out the law's requirements were published Sept. 1, 2023.

N.J.A.C. 12:101-1.105.2



What is a panic device?

A **panic device** is a two-way radio or other electronic device an employee can wear or keep in their pocket that allows them to summon immediate on-scene assistance from a security officer, manager, supervisor, or other appropriate hotel staff member.



What is a panic device?

Panic Devices Must:

- Be able to be worn or kept in a hotel employee's pocket when they are working in a guest room
- Be used to get immediate and on-scene help from a responder

Are most effective when they are:

- Simple to activate
- Distinguishable from other worksite sounds
- Reliable in all locations, at all times
- Resistant to being disabled
- Able to be used more than one at a time



How the Law is Applied

For Employers

Hotel employers are required to provide certain employees with panic devices

A **hotel employer** is a person who:

- employs or exercises control over the wages, hours or working conditions of hotel employees
 - This control may be direct or indirect, including through an agent or staffing agency

And

- operates a hotel, motel, inn or boarding house with 100 or more guest rooms

How the law is applied

For Employees

Hotel employees required to be equipped with panic devices:

- work full- or part-time or as temps, regardless of how they are paid
- work alone while performing housekeeping or room servicing of guest rooms
- work under the direction of a hotel employer or subcontractor
- are paid wages/compensation under an employment agreement



Hotel employers supply and pay for panic devices

It is up to hotel employers to:

- provide working panic devices, including batteries and other supplies needed to wear and operate the device
- maintain the devices and any systems needed to operate them



Panic Devices = No cost to hotel employees

- Hotel employees are not required to pay for panic devices or their maintenance
- Repairing and/or replacing a non-working panic device is the employer's responsibility



When to use a panic device

Hotel employees may use their panic device if they believe they are in immediate danger of assault or harassment, or if they are witnessing an ongoing crime or other emergency

- The employee may stop working, leave the immediate area and wait for help to arrive.
- No adverse action may be taken against an employee who uses their panic device.



How to respond to an activated panic device

- A manager, supervisor, staff member or security officer must respond immediately to the location from which the device was used
- A hotel employee who uses a panic device must be reassigned to a different work area – away from the guest room where the situation occurred – for the duration of the guest's stay.
- All other housekeeping/room service employees must be notified of the presence and location of a guest accused of committing an act of violence and given the option to
 - service the room with another employee or
 - opt out of servicing the room for the duration of the guest's stay

Education and Record-keeping



Hotel employers are required to develop and continue a program that instructs employees in their language:

- how and when to use their panic device
- how to remove themselves from dangerous or inappropriate situations
- their right to use a panic device without fear of retaliation



Hotel employers are required to develop an ongoing education program that teaches employees how to:

- test and maintain their panic device
- wear and use their device
- remove themselves from danger

The program should also:

- inform employees of their options for reassignment
- encourage employees to use their panic device if needed
- offer them protection after using their panic device
- let them know how incidents will be reported and recorded



Recording and Reporting Incidents

Actions required when an employee uses a panic device:

- Immediate response to the employee's location
- Call law enforcement if a crime is suspected
- Immediately reassign employee to work in a different area away from where the incident occurred
- Notify other housekeeping/room service staff of incident and allow them to service the room with another employee **OR** opt out of servicing the room for the duration of the guest's stay



Notice to guests

Employers are to notify guests that panic devices have been provided to employees by:

- requiring the guest to acknowledge the policy as part of the establishment's terms and conditions upon check-in **or**
- placing a sign in a prominent location on the interior of the guest room door

Sample policy statement:

This hotel provides panic devices to its employees. Threats, acts of violence, sexual assault, attempted assault, sexual harassment, other criminal or inappropriate conduct, or other emergency in the employee's presence may result in the use of a panic device. Use of a panic device may result in notification of law enforcement and/or refusal of continued and future occupancy by offending guest(s). An employee who uses a panic device has the right to stop working and immediately remove themselves from the situation.

NJDOL's Enforcement Role

- **The New Jersey Department of Labor and Workforce Development proactively conducts investigations to ensure compliance with the law**
- **The Department may issue penalties to employers that do not comply with the law. First violation may result in penalties of up to \$5,000; subsequent penalties each carry a fine of up to \$10,000**



**For more information,
please visit:**

nj.gov/labor/panicdevice