

New Jersey's
PANIC DEVICE
LAW



LEGAL DISCLAIMER

This presentation provides general information, not legal opinion.

The NJ Register and NJ Administrative code remain the official sources for regulatory information published by the NJDOL.

All workers deserve to be safe at work

- The Panic Device Law is one way that hotel employers must respond to and protect employees from dangerous situations at work.
- Hotel employees can face dangerous situations when they work alone.

Your safety matters. You should not have to put up with bad or illegal behavior from guests. This is not a part of providing good customer service.



CONTENT WARNING

This presentation discusses violence at work, which can bring up difficult emotions. Feel free to take care of yourself how you need, or to step away at any point.

Resources for victims/survivors of sexual violence

- NJDOL resources: nj.gov/labor/survivor
- Statewide hotline: (1-800) 601-7200
- Find your County Support Service at: njcasa.org/find-help

New Jersey's Panic Device Law: Overview

- Went into effect on Dec. 1, 2019
- Requires employers operating hotels/ establishments with 100 or more guest rooms to provide panic devices to employees that work alone in rooms
 - For example: housekeeping and room service employees
- Hotel employers must respond promptly when button is activated.
- Employees who use a panic device are protected from retaliation from their employer.



WHO IS COVERED under the law?

- Employers with 100 or more guest rooms in their hotel, inn, or motel.
- Employees that work alone in a guest room.
 - Full-time, part-time, and temporary workers
 - Paid hourly, salary, or cash
 - Regardless of immigration status
- **Exclusions:** Hotels with collective bargaining (union) agreements that include safety and reporting procedures for employees that work alone in guest rooms.



Immigrants are covered too

- This law applies regardless of your immigration status.
- NJDOL does not ask about immigration or citizenship status and serves all workers ***regardless*** of immigration status. NJDOL will not share any information, including with immigration agencies, unless required by law or regulations.
Learn more at <http://nj.gov/labor/immigrants>.
- NJDOL can certify U/T visa applications for victims of crimes such as domestic violence, sexual assault, and human-trafficking.
 - Learn more at nj.gov/labor/immigration or email immigration-relief@dol.nj.gov with your questions.

What is a PANIC DEVICE?

A panic device is a two-way radio or other electronic device.

- You must be able to:
 - Wear it or keep it in your pocket
 - Use it to get immediate, on-scene assistance from an appropriate hotel staff member.
- Your personal cell phones alone don't count. They are not easy to activate in an emergency, and are not provided by your employer.
- NJDOL recommends to employers that panic devices are:
 - Simple to use
 - Unique in their sound
 - Reliable

When to use a **PANIC DEVICE**

Use the panic device if

- A crime is being committed
- You are in immediate danger or think you could be
- Or if some other emergency is happening

Your employer can't punish you if you use it. It's against the law.



Employers must provide **WORKING** panic devices for **FREE**

- Hotel employers must provide panic devices, batteries, and supplies to wear and operate the device. They must also repair and maintain the devices.
- You should not pay for panic devices or their maintenance. That's the employer's responsibility.



WHEN TO USE a panic device—CONTINUED

None of these situations should happen, but, unfortunately, they can.

These are just some examples of when a worker might decide to use a panic device.

- Someone exposes themselves to the worker
- Someone touches the worker in a way that makes the worker feel unsafe
- A worker experiences any other form of harassment or violence from someone
- There is a medical emergency

You can use the panic device in any emergency, including if a guest or another staff member harms you.

There are additional resources for victims/survivors of sexual violence and other types of crime shared at the end of this presentation.

IF YOU USE A Panic Device

You should immediately leave where you activated the device, if you can.

A manager, supervisor, staff member or security officer must respond promptly to you. They must contact law enforcement when appropriate.

For the rest of that guest's stay, your employer must reassign you to another area away from their room.

Your employer must tell all other housekeeping/room service employees about the accused guest, and where they are located.

Employees have the choice to

- Service the room with another employee or
- Not service the room for the duration of the guest's stay



WORKER EDUCATION is required

Hotel employers **must** explain to you:

- How and when to use your panic device
- How to remove yourself from dangerous or inappropriate situations
- Your right to use a panic device without fear or retaliation from the employer

It's a best practice that employers:

- Provide information in your preferred language
- Inform you how you can be reassigned after you use a panic device
- Encourage you to use a panic device if you need to
- Ensure you will not be punished for using a panic device
- Inform you of how the incidents will be reported and recorded



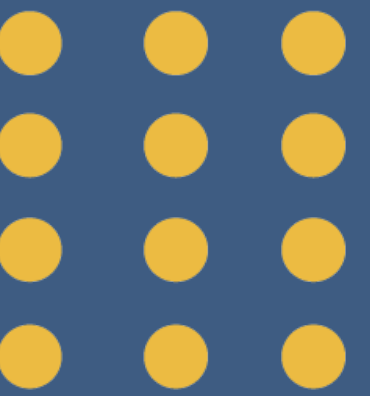
Responding to DANGER

In dangerous or inappropriate situations, it's common to respond to fear, stress in one of these ways:

- **Fight:** responding aggressively or defensively
- **Flight:** avoiding or running away
- **Freeze:** shutting down
- **Fawn:** appeasing, obedience, or dissociating

These are natural stress or trauma responses that occur automatically. They are your body's way of addressing the stressor and protecting itself.

Your response may be based on your personality, past experiences, or the stressor and is not a reflection of your character.



Stress Responses

- May impact perception of time
- May impact memory
- Are physical as well as mental



Notice to guests

Employers must tell guests about panic devices. They can either:

- Require guests to acknowledge the policy when they check-in, or
- Put a sign on the guest room door where it is easy to read

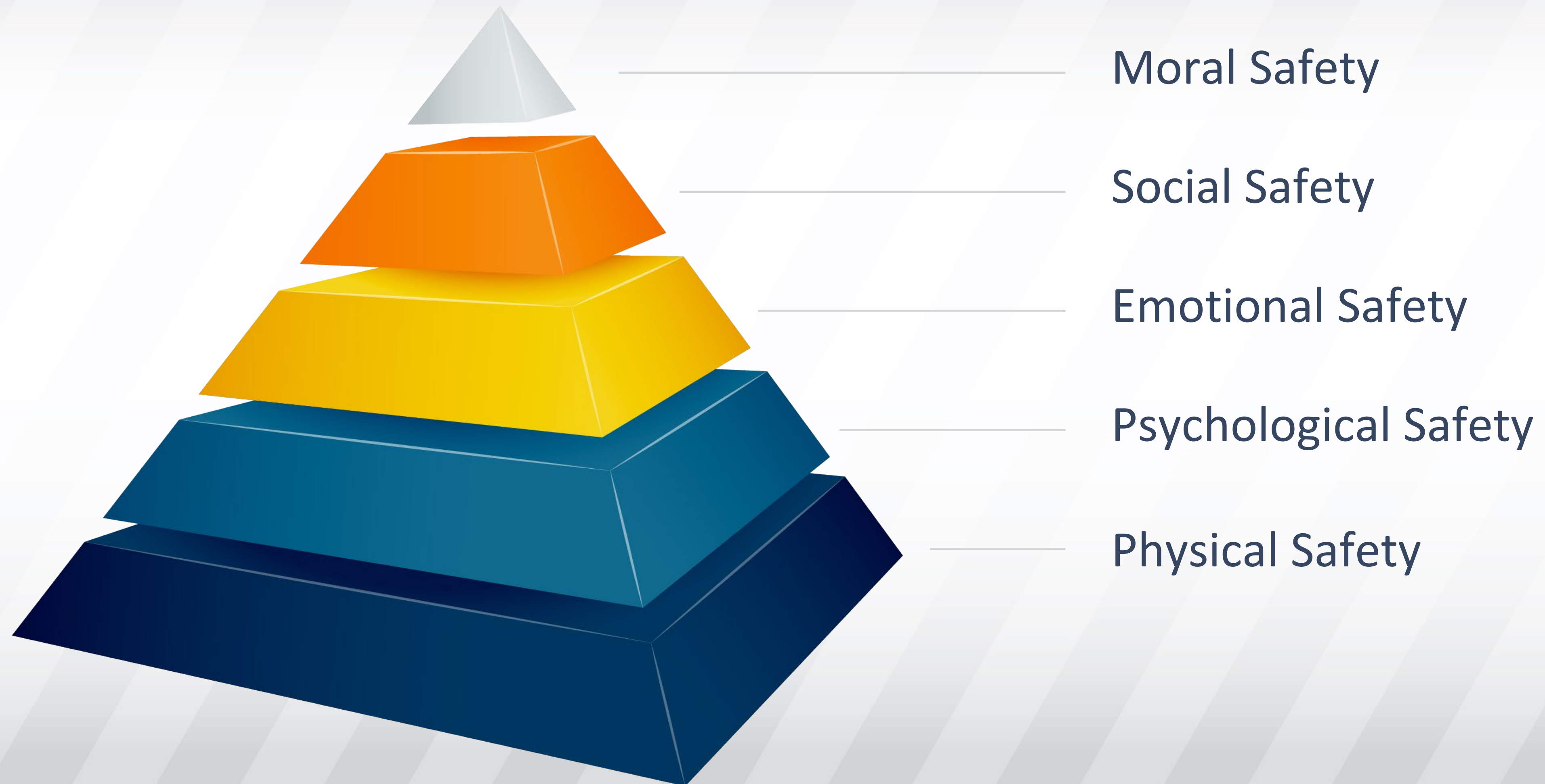


REMEMBER!

Covered employers MUST:

- Provide you a working panic device for free—personal cell phones don't count
- Educate you on how to use the device
- Respond promptly when you activate the device
- Respond when you activate the device
- Not retaliate against you for using the device
- Notify guests of the policy

SAFETY is the foundation of a healthy work environment



NJDOL enforces THE LAW

If your employer is covered, they must meet all the requirements of this law.

If your employer doesn't follow the law, you can file a complaint with NJDOL. Visit nj.gov/labor/panicdevice to file a complaint.

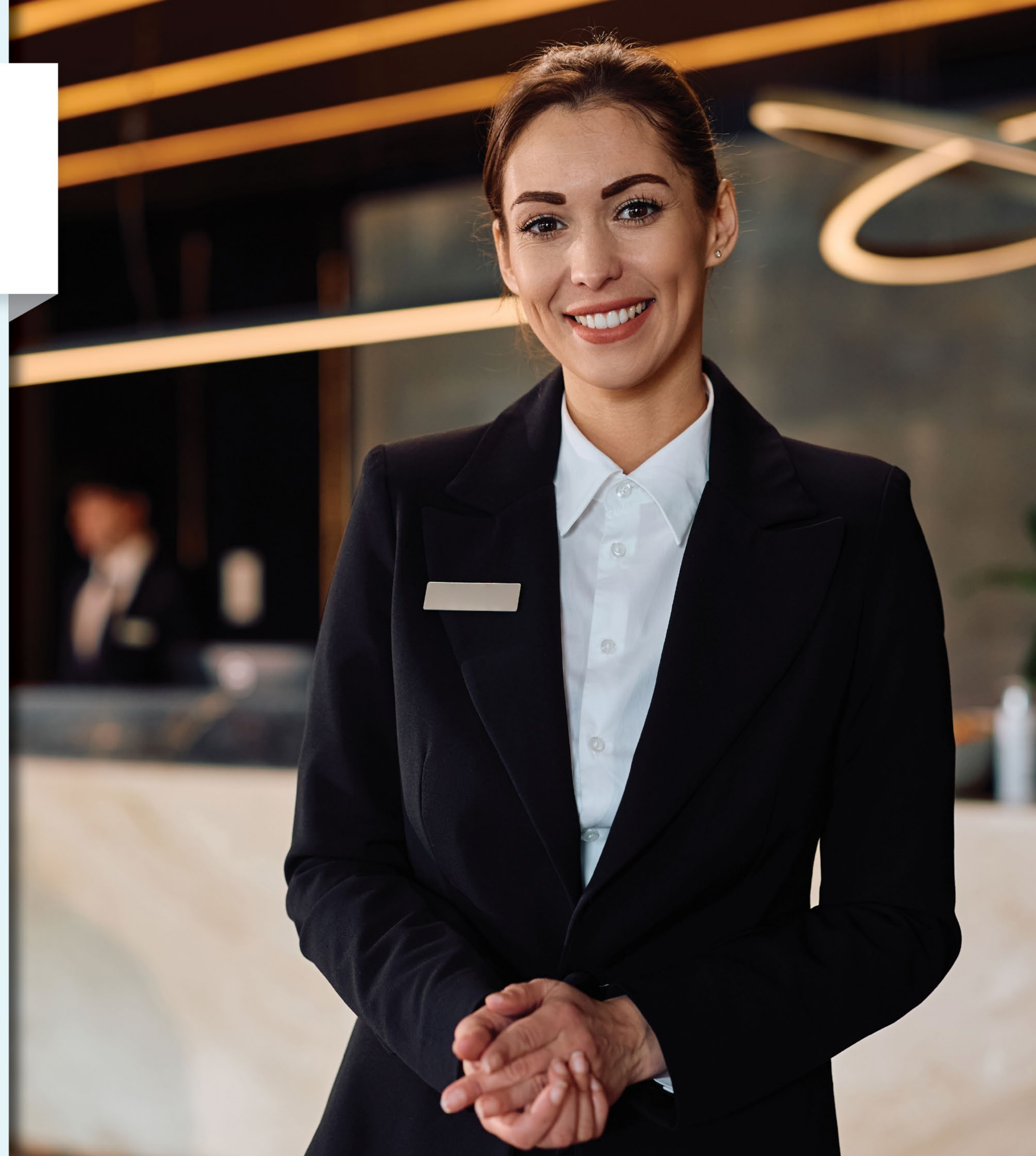
As mentioned, NJDOL does not ask about citizenship and serves all workers regardless of their immigration status. NJDOL will not share any information, including with immigration agencies, unless required by law or regulations.

REMEMBER: NJDOL may be able to assist with [U/T Visas](#).



Best Practices for EMPLOYERS

- **Centering workers (worker empowerment):** in their experience, without judgment, while uplifting their strengths as they work through an incident that may have occurred.
- **Choice and consent:** workers should be allowed to choose how incidents should be addressed.
- **Collaboration:** workers should be involved in the process of responding to an incident.
- **Safety:** promoting workplace settings (or investigation settings) that ensure the physical and emotional safety of a worker, especially after an incident may have occurred.
- **Trust:** building trust between the worker and employer, by setting clear expectations of how they will be supported and uplifted after an incident occurs. Transparency and predictability are big drivers of feeling safe and developing trust.



More resources for SURVIVORS OF SEXUAL VIOLENCE

Victims/survivors of sexual violence can be eligible for other benefits and rights

- NJ Paid Family and Medical Leave
- NJ Earned Sick Leave
- Workers' Compensation
- And more

Visit nj.gov/labor/survivors for more information.

Work rights and benefits for all HOTEL WORKERS

See myworkrights.nj.gov for more information.

- Minimum wage and overtime
 - Wage payment
 - Proper classification/employment status
 - NJ Earned Sick Leave
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- Workers' Compensation
 - Health and Safety at Work
 - NJ Paid Family and Medical Leave
 - And more
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More resources for SURVIVORS OF SEXUAL VIOLENCE

Statewide hotline: (1-800) 601-7200

Find your County Support Service at: njcasa.org/findhelp

Advocates and community members— WE NEED YOUR HELP!

If you speak with a hotel worker(s), you can:

- Share this slide show or the panic device webpage with them
 - nj.gov/labor/panicdevice
- Help answer questions about the law
- Help the worker file a complaint
- Connect the worker to other NJDOL benefits/rights like Workers' Compensation, Paid Family and Medical Leave, or Earned Sick Leave. Remind them that they have rights that protect them at work

If you speak with a hotel worker(s), you can:

- Share this page on their obligations under the law
 - nj.gov/labor/panicdevice



For more information,
please visit:

nj.gov/labor/panicdevice