

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-Second Session
May 1, 2023**

The Committee on Commerce and Labor was called to order by Chair Elaine Marzola at 1:35 p.m. on Monday, May 1, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Elaine Marzola, Chair
Assemblywoman Sandra Jauregui, Vice Chair
Assemblywoman Shea Backus
Assemblyman Max Carter
Assemblywoman Bea Duran
Assemblywoman Melissa Hardy
Assemblywoman Heidi Kasama
Assemblywoman Daniele Monroe-Moreno
Assemblywoman Selena Torres
Assemblyman Steve Yeager
Assemblyman Toby Yurek

COMMITTEE MEMBERS ABSENT:

Assemblyman P.K. O'Neill (excused)

GUEST LEGISLATORS PRESENT:

Senator Marilyn Dondero Loop, Senate District No. 8
Senator Rochelle T. Nguyen, Senate District No. 3

STAFF MEMBERS PRESENT:

Marjorie Paslov-Thomas, Committee Policy Analyst
Joe Steigmeyer, Committee Counsel
Cyndi Latour, Committee Manager

Minutes ID: 1007



Spencer Wines, Committee Secretary
Garrett Kingen, Committee Assistant

OTHERS PRESENT:

Billy Vassiliadis, representing Nevada Resort Association
Ayesha Molino, Senior Vice President, Public Affairs, MGM Resorts International
Andrew Diss, Senior Vice President, Chief Strategy Officer, Meruelo Gaming
Karlos LaSane II, Regional Vice President, Government Relations and Community Affairs, representing Caesars Entertainment
Stephen Ascuaga, Corporate Director of Business Development, Peppermill Casinos, Inc.
Virginia Valentine, President, Nevada Resort Association
Bryan Wachter, Senior Vice President, Retail Association of Nevada
Tom Clark, representing Reno+Sparks Chamber of Commerce; and Nevada Outdoor Business Coalition
Erin Midby, Vice President, Government Affairs, Boyd Gaming Corporation
Joelle Gutman-Dodson, Government Affairs Liaison, Washoe County Health District
Elyse Monroy-Marsala, representing Nevada Public Health Association
Mary Beth Sewald, President, Chief Executive Officer, Vegas Chamber
Ted Pappageorge, Secretary-Treasurer, Culinary Workers Union Local 226
Maria Martinez, Private Citizen, Las Vegas, Nevada
Silvia Buenrostro, Private Citizen, Las Vegas, Nevada
Susie Martinez, Executive Secretary-Treasurer, Nevada State AFL-CIO
Marc Ellis, President, Communications Workers of America Local 9413
Marlene Lockard, representing Service Employees International Union Local 1107
Annette Magnus, Executive Director, Battle Born Progress
Lilith Baran, representing American Civil Liberties Union of Nevada
Gabriela Esbralastad, Private Citizen, Las Vegas, Nevada
Barbara Perez, Private Citizen, Las Vegas, Nevada
Jenette Acosta, Private Citizen, Las Vegas, Nevada
Xochitl Anguiano, Private Citizen, Las Vegas, Nevada
Rawanda Rogers, Private Citizen, Las Vegas, Nevada
Russ James, representing Nevada State AFL-CIO; and International Union of Painters and Allied Trades
Rita Weisshaar, representing Nevada Alliance for Retired Americans
Liz Sorenson, President, Nevada State AFL-CIO
Renee Ruiz, Legislative Advocate, National Nurses Organizing Committee of Nevada, National Nurses United
Mike Charlton, representing Henderson Professional Firefighters
Lalo Montoya, Civic Engagement Manager, Make the Road Nevada
Bobbette Bond, Vice President, Policy, Culinary Health Fund
Michael Gittings, President, United Food and Commercial Workers Union Local 711
Brittany Bowling, representing Bartenders Local 165

Chair Marzola:

[Roll was called, and protocol was reviewed.] Today we will hear one bill, Senate Bill 441. Before we start, I just want to give everyone the lay of the land. The presenters are going to present their bill and then I am going to give 30 minutes in support, 30 minutes in opposition, 30 minutes in neutral. Before we start the 30 minutes in opposition, I am going to give Ted Pappageorge 15 minutes to present his opposition. That is how everything is going to work today. With that, I will open the hearing on Senate Bill 441 and welcome Senator Dondero Loop and Senator Nguyen. You both may start when you are ready.

Senate Bill 441: Revises provisions relating to public health. (BDR 40-451)

Senator Marilyn Dondero Loop, Senate District No. 8:

Some of you may know this and some of you may not. This bill made me think back to my mother. My mother, Thalia Dondero, was the first woman elected to the Clark County Commission almost 50 years ago. Imagine how much courage it took for her to break that barrier in those days. Her sheer determination inspires me and countless others to this day. She had the courage to stand up, be heard, and be counted. Throughout her career, she was never afraid of political reprisal or paybacks. If she believed in something enough, she would simply soldier on.

She would often remind me that to be effective in public office, you have to trust your gut and call them the way you see them. Today when I am deciding on bills, I think back and ask myself, What would Thalia do? We actually say that in my family many times, even with our little ones. The reason I bring this up is because as a Senator, I draw on my mom's legacy every day, and it is her good judgment that led me to introduce this legislation. Senate Bill 441 is a declaration, a declaration that the last remaining law of the emergency COVID-19 era is proposed to end. Two Nevada Governors have already declared COVID-19 over, and President Biden also declared COVID-19 to a close.

Looking back to the beginning of COVID-19, we did everything we could to protect ourselves and our visitors while knowing little about the virus, its transmission, how long it would last, or how dire the consequences would be. All we knew was that it was deadly, and so we acted. Remember when some thought it would only last six weeks or that it could be transmitted on hard surfaces, and who can ever forget the toilet paper crisis?

Writing COVID-19 laws was indeed a remarkable accomplishment borne out of the fullness of our uncertainty. I am not aware of any legislator who was here at that time who regrets voting yes on Senate Bill 4 of the 32nd Special Session. I know I did not. At the same time, we also approved Senate Bill 386 of the 81st Session. Those two emergency bills were essential to ensuring the health and safety of Nevadans and tourists, and they worked effectively in tandem to protect us from the ravaging worldwide pandemic.

In the meantime, we sheltered in place, social distanced, we vaccinated, we boosted, we wore masks, we fought hard against COVID-19, in part because of the laws we enacted. We protected ourselves, we saved lives, and we prevailed, but we missed something. In rushing

to craft Senate Bill 4 of the 32nd Special Session, we forgot to do one thing. As you know, Senate Bill 386 of the 81st Session sunsetted last year, but Senate Bill 4 of the 32nd Special Session did not. It was an oversight. Since we meet only every other year, we had to wait until now to act. It was as clear as day that should have been phased out like Senate Bill 386 of the 81st Session, and that is why I brought this bill.

To be clear, this is not a repeal of something we got wrong, quite the opposite. This is a sunset of something we got right. It worked then, but it does not work now. Basically, the metrics we relied on are either no longer in effect or out of existence. Yet today, the statute remains locked in place. Given now that we know what we know, we should be unburdening our hotel operators of the COVID-19 era restrictions and allow them to return to the high standards of cleaning they have used to meet and exceed expectations related to their customers' safekeeping.

That is it in a nutshell. It is a simple sunset bill that ushers out COVID-19 era room-cleaning requirements and ushers in post-pandemic health and safety standards. I have watched this industry for as long as I have been alive, being born and raised in Las Vegas. I believe that our hotel operators know their customers best, and for 70 years they have always made customer safety their top priority. In closing, I am proud of the work we did on Senate Bill 4 of the 32nd Special Session, and I am proud to appear before you, three years later, to present Senate Bill 441. Like Senate Bill 386 of the 81st Session, it is time to sunset a COVID-19 housecleaning policy that served its purpose but outlived its necessity. A housecleaning policy that served its purpose but outlived its necessity.

While thinking about this bill, ask yourselves two questions, because that is what I did. I said, Why keep a law on the books when there is no objective justification for it? And in my case, I say, What would Thalia do? Now I would like to introduce next to me my fellow Senator Rochelle Nguyen for some additional information and Billy Vassiliadis with the Nevada Resort Association, who has been intimately involved with the state COVID-19 response. They will provide additional information, we will be here to answer questions, and I urge your support.

Senator Rochelle T. Nguyen, Senate District No. 3:

I am proud to be presenting Senate Bill 441 with Senator Dondero Loop. When I think back to the summer of 2020, I am reminded of that uncertainty, and I think most of us are. It may seem like a lifetime ago, but three short years ago we were all sitting around wondering what was upon us. I remember the fear, the toilet paper, washing groceries outside of our houses before we brought them in, figuring out how life was going to be in this pandemic era. In my household, I remember being glued to the TV, YouTube, and the Internet. In my legislative capacity having briefings with public health officials, watching the President come on TV, watching our Governor come on TV, watching public health officials come and give us updated and ever-changing information that they had about the COVID-19 virus.

I remember it being very personal. I was worried about my elderly parents who live with us as well as my children who were no longer in school. I remember having Zoom meetings, as

many of you also had, where life was going on in the background of our houses. My father would come by with the laundry and start doing dishes in the middle of a Supreme Court argument. I know that is the time period we were living in. I remember everyone thinking, Hey, this is going to be a two-week sacrifice, but by the time we entered into this 32nd Special Session it had been going on for four months. I remember how the discussions around Senate Bill 4 of the 32nd Special Session were discussed, and I know there are about six of you on this Committee who were here during that 32nd Special Session when we were having horrible conversations about what parts of the budget we were going to cut. Were we going to save children's dentistry, or were we going to save prosthetic legs for veterans? They were horrible, horrible decisions that I would not wish on any of my colleagues who come after me. I know that they were incredibly difficult for us who were going through those decisions.

In this one when we were talking about Senate Bill 4 of the 32nd Special Session, it was a piece of legislation that established public health laws to prevent the transmission of COVID-19. It also provided certain entities with immunity from civil liability for personal injury or death resulting from exposure. It set up testing standards that were to be maintained. I remember speaking with our public health officials at that time, talking to doctors, talking to nurses, talking to my neighbors who worked in the health field, to figure out what was the best, what was the most reliable information we could use upon which to base our laws and these protections for our hotel employees, our guests, and our businesses to be able to survive this pandemic.

I believe in science, I believe in this legislative process, and I believe we vet the bills based on the information that is before us, and I know that we have a duty to follow the science and amend bills when they no longer follow the evidence-based system of science that guides public health. That is why you will hear from public health officials who will come in in support of this policy in this bill. This COVID-19 protection bill was based on what we knew in 2020, and it was our legislative intent even in 2020 while at the time of the drafting of this, during the special session when we were trying to protect our workers, when we were trying to protect our businesses, when we were trying to protect our community, that we actually in fact tied these COVID-19 protections and intended them to sunset.

We turned to our public officials and medical professionals. We turned to our science, and we listened, and it is important that we listen today because what we were basing our decisions on in the summer of 2020 is not what we have today. This was before we even had N95 masks that were available for public consumption. People were making masks. In fact, I remember having a neighbor make a bunch of masks that I brought in during the special session to distribute among our colleagues who were here in the building. We did not have vaccinations; we did not even have therapeutics and we would not for another six to eight months, and they would not be in full distribution for another year or so. That is the world we were living in. Unfortunately, when we tied these safety provisions to one of three provisions that were relevant in 2020, they were set to sunset when those things were met, and I will point out what those things are in statute just so the Committee is aware for those

people who were not there and as a refresher for those people who were on that special session that probably thought this already did sunset.

One was the governor's emergency declaration. This is not present and has not been under now two separate governors. Governor Sisolak and now Governor Lombardo have both made statements, have both issued their intention that the COVID-19 pandemic is over. But the number two and number three are the ones that are most problematic. They are tied to positivity rates over 5 percent in any 14-day period in a 90-day period. This is not even data that we collect anymore. No behavioral health organization, no public health district, not even hospitals publish these rates any longer. The reason we do not publish those rates anymore is we have vaccinations. We have boosters, we have therapeutics, and more importantly, we have at-home testing kits. We are almost always running at 100 percent positivity rate because the only people who are monitoring and having these tests taken are people who are sick and in a hospital setting. Those are the only times we are collecting that data.

What we intended in 2020 to sunset with these provisions, that was the science at the time, is no longer the science. I believe we are a Legislature that follows public health. We follow evidence-based practices. We follow the science, and the science tells us that this is time to end these provisions that were set forth in Senate Bill 4 of the 32nd Special Session. With that, I will turn this over to Mr. Vassiliadis.

Billy Vassiliadis, representing Nevada Resort Association:

I do not want to be redundant. I know by now you have all heard the arguments from both sides, read the arguments from both sides. A couple of key points, one of them will be repetitive. This was a COVID-19 protocol. This started as a bill to provide liability protection, and rightfully so, members of this body and the Senate asked questions about how do we assure that diligence is being done to earn liability protection and immunity? That is how these protocols came to be, lengthy negotiations and discussions with legislators, with the Nevada Resort Association and other resorts, and with the Culinary Union, and we landed on this. At the same time, we also passed, as the Senator said, the Right to Return bill, which had a sunset on it; there was a definitive time sunset. On this one, we had these three measures, and two of the three are no longer in existence.

One of the things I am here for is to assure you that we are not going to stop cleaning rooms. We are not going to lower the great standards this industry has always had. It is not only the right thing to do, but also good business. Ninety-five percent of the visitors who come to Las Vegas feel their expectations have been met or exceeded. Eighty-five percent of those say they want to come back. You cannot provide a bad experience, a dirty room, and lousy service. We are a hospitality state; we are the hospitality industry in the hospitality state; there is a high bar and a high standard for us. There is a lot of expectation from you all for us to make sure we continue to provide the economics this state requires, needs, and is dependent on.

I want to say our frontline employees were fantastic during COVID-19. I cannot imagine showing up day after day with those concerns: masks, no masks, gloves, no gloves, wash this, do not wash this. It was tough times for everybody, and we all rebounded together. It is a very resilient state that we are, a very determined industry that we have, and a very determined workforce that we have. We work together to bounce back. It is time that one of the last protocols, if not the last COVID-19 protocol, in this state be repealed.

There are a couple of practical challenges with daily cleaning too. First and foremost is the hospitality industry is very challenged to staff up. You have heard from law enforcement, public safety, government agencies, state agencies, and the private sector in this new era, flexibility is the No. 1 thing workers require or ask for when they are looking for a job. It is hard to provide that when our schedules depend on the schedules of the 47 million people who visit here. Keeping a robust workforce has been a real challenge for us. We are down probably 2,000 to 2,500 jobs in housekeeping in southern Nevada. We have gotten better, we are hiring quicker, and people are coming to work a little bit quicker. It is also the highest turnover position in the industry. Keeping up is a challenge in and of itself.

Secondly, the pre-COVID-19 cleaning standards were of a very high caliber—again because they had to be; it is expected of us. We respond to customers more than we do to anybody else. We make sure their satisfaction is met and somewhere between 40 and 55 percent of our customers, depending on the company, do not want daily room cleaning. Most just want fresh towels every day. We want to be able to let them know and inform them they have that option in advance. It is a more effective and safer way to deploy our guest room attendants. They are not running up and down the hallway looking for do-not-disturb signs. I mean, there is a clear roster of rooms that need to be cleaned and rooms that just need towels or rooms that do not need to be touched. That is the preference of our customers, and that preference tends to be growing. Why? It is Las Vegas, it is Reno, it is Lake Tahoe; we are 24 hours. If someone has been up all night, lying by the pool in the morning, and is napping in the afternoon, they do not want [knocking sound] housekeeping. At that point, they just want to sleep their way back into the evening.

I am respectfully asking you to trust this industry and our long and many years of success of knowing our customers. By the way, the bar just went up again. Liberty Media's Formula One (F1) Las Vegas Grand Prix, with an international audience with very high standards and requirements, is having its event here. The Super Bowl and our conventions are growing back robustly, with very high-demanding customers who also have a lot of choices and a lot of options. Why do they pick Las Vegas? Because it is the place to be with the No. 1 convention destination in the world. We know how to take care of our customers. We know how to provide a safe environment, a healthy environment, and a clean environment on behalf of this state's industry. That is our commitment to you. That is my commitment to you.

Senator Dondero Loop:

Chair, we have one person on Zoom who is back East, and with the time consideration, would we be able to hear her, please?

Chair Marzola:

Of course.

Ayesha Molino, Senior Vice President, Public Affairs, MGM Resorts International:

I do not want to take up too much of your time by reiterating the strong points that my colleague and the Senators have already made. I do want to talk a little bit about the operator perspective in all of this. When we reopened our resorts in June 2020, we did so after being closed for 77 days. It was the first time in the history of our company that any of our resort properties have been closed. We were not sure if customers were going to come back, if they were, how many, when, for how long, and under what circumstances. But we did know a couple of things. We knew that the only way our customers were going to come back is if we could prove to them and to our employees that we had a safe environment in which they could work and to which they could visit.

It was in that spirit we sat down along with several of our resort colleagues, the Culinary Union, and the Legislature in summer 2020 and negotiated S.B. 4 of the 32nd Special Session. At the time, as has been mentioned, we were still not quite sure how the virus was spreading. We were not sure if there was a difference between how it spread indoors or outdoors, vaccines were not yet available, and there was still a concern that the virus could be spread through hard surfaces or soft surfaces like bed sheets. Keeping all of that in consideration, we negotiated a very robust set of protocols that dictated every aspect of how a room should be cleaned. Since then, we have learned a lot. We now live in what I would call a post-pandemic environment. In fact, on May 11, the federal public health emergency regarding COVID-19 is set to expire. After that expires, this bill really will be the last vestige of COVID-19-related legislation or COVID-19-related emergency actions that currently exist in the United States.

One of the things we have learned since we negotiated this bill in 2020 is our customers were, of course, willing to come back. We are very grateful for it, but their behavior changed and their demands changed. We have done a lot of studies about customer behavior especially regarding room cleaning and how they are approaching it. For the last 12 months on average, 40.3 percent of our guests in stayover rooms placed do-not-disturb signs or otherwise declined daily housekeeping. It is important to note our customers have been doing this of their own volition. This is not something we advertise, and this is not something we incentivize consistent with the state law. Importantly, this figure, this 40.3 percent figure, is consistent across all our properties here in Las Vegas. It does not matter if a customer stays at the Bellagio or the Luxor; what we have seen is that our customer behavior is very consistent. This is not an insignificant number of people, as you all know, this is millions of people a year who are declining daily housekeeping.

The rate at which our guests are declining daily housekeeping is nearly double what it was before the pandemic. While we know our guests are declining daily housekeeping, their reasons for doing it vary. As Mr. Vassiliadis mentioned, some are doing it because they are working from their hotel rooms in the middle of the day. Some are doing it because they are trying to get a little bit of rest in between meetings. This is generally consistent regardless of

time of stay. Our customers stay at our resorts for an average of 2.7 days. What we have found is that for those 40.3 percent, the vast majority of them declined for the entirety of their stay.

This is not a matter of not wanting to provide daily housekeeping. We are providing daily housekeeping service. Like I said, we do not incentivize our guests to decline it, but it is incumbent upon us as the hospitality industry to account for and react to what our guests want and need from us. The daily room-cleaning services that were required by the emergency statute passed nearly three years ago is just not aligned with the practical reality of today. I would also like to note that we do have procedures in place through our collective bargaining agreement to implement room-cleaning service even in cases where guests have declined. If a guest has declined room-cleaning services for 48 consecutive hours measured by the first time the service was declined, we will bypass the do-not-disturb sign and require the room to be cleaned. However, again, due to the average time-of-stay of 2.7 days, it is rare that our guest room attendants need to implement this protocol.

In addition, we are very cognizant of the impact that unserviced rooms can have on our guest room attendants and on the workload that unserviced rooms can create. To the extent the room is found to be particularly dirty, we have a trashed rooms process that is available to provide our guest room attendants with assistance cleaning the room and our reduction in the workload associated because of the additional time they need in order to clean that room. We are in the business of hospitality. Our guests vote with their pocketbooks, and we know that in order for Las Vegas to continue to be competitive, we need to provide a set of procedures and protocols that make our guests comfortable.

According to the data released by the Las Vegas Convention and Visitors Authority, Strip occupancy in February 2023 was 83.2 percent, down 3.4 percent from February 2019. We are thankful for the sustained recovery the Las Vegas hospitality industry has had since the worst days of the pandemic, and we are grateful to all our employees who made this recovery possible. I would also note that one of the issues we continue to have is with employee hiring and retention, particularly with regard to our guest room attendants. This is not a matter of our trying to create a ceiling on the number of guests room attendants we have or find an avenue for us to reduce the level of our workforce. At the end of February of this year, we had 4,382 union guest room attendants on our staff. That number is 86 percent of our total in February of 2019 on an apples-to-apples basis. One thing I would like to note is that we still have at MGM Resorts several hundred guest room attendant positions open. In fact, tomorrow we are having a job fair, a housekeeping job fair, guest room attendant job fair where we have committed to offering interviews and potentially even positions on the spot for qualified applicants. This is not a matter of our not wanting to hire. It is a matter of our not being able to attract and retain the talent we need in order to fully service our hotels.

We experience a guest room attendant turnover rate of 14 percent. I also note that is relevant because that 200 open positions number is not a static number. It is not that we can just fill those 200 positions and then we are at capacity again; because of the constant turnover, we have a constant retention issue. As a result, we are always dealing with this issue right now

of competing for that workforce and being underserved. We are actively trying to resolve this. I do want to again reiterate; this is not our keeping our workforce and our staffing levels artificially low. It is a matter of our trying to make sure we have enough labor necessary in order to satisfy the needs we have.

Our ask of this Committee in the Legislature is simple and straightforward. There is no longer a reason to statutorily mandate resort hotels or any other public accommodations facility to operate pursuant to the state of health emergency and safety protocols that were enacted as a result of circumstances that existed three years ago. We would ask that at this time, the Legislature consider implementing a complete repeal of the provisions of Senate Bill 4 of the 32nd Special Session.

Chair Marzola:

Does that conclude your presentation? Are you ready for questions? We will start with Assemblywoman Backus.

Assemblywoman Backus:

It made me relive the summer of 2020. I wanted to start because I know the 32nd Special Session when Senate Bill 4 of the 32nd Special Session was enacted following the 31st Special Session when we had to cut over a quarter of our budget. Senate Bill 4 of the 32nd Special Session has so many facets, but I do recall vividly that there was a lot of pushback because we were singling out an industry and not providing all of these safety procedures to other industries around our state. I always struggled because our *Nevada Constitution* requires us to implement general laws that affect every kind of industry equally. At the time this was implemented, we were asking our Culinary Union workers, our people who work in the hotels who were going to be our frontline workers, to bring back our economic engine. That was kind of the purpose of S.B. 4 of the 32nd Special Session. It was sound in making sure our whole economy did not sink in Nevada, and we needed to make sure our frontline workers and those coming to Las Vegas were safe so we could keep our state going.

Senator Nguyen:

That is exactly the case. I know there were a lot of members, including people who are sitting on this Committee today, who struggled with that perceived inequity at the time. We did prioritize our resort and gaming industry at that time, and from my own personal experience—and I am sure you remember this as well—it became very apparent that we did not have a very diverse economy. There was extra attention and effort that was lent to protecting our tourism industry. The provisions that came out of this were those needed to get us back on track. We can look at it today and 30 percent of our budget is still reliant on gaming revenue we protected in our *Nevada Constitution*. We have lots of things that show as a policy that tourism and gaming are very important to our state. That is something that went into effect. With that being said, those people who were not included in those provisions are not beholden to those same protections for either liability or cleaning standards that the resort industry is. That is why the repeal of Senate Bill 4 of the 32nd Special Session is so necessary.

Assemblywoman Backus:

One thing I remember in the midst of COVID-19: I stayed at a hotel up in Tahoe. With the type of person I am, I truly did not want someone to clean my room, but I made sure someone would not be penalized if I did not use my room cleaning service. I would have prioritized that had the hotel told me if an employee would be penalized. After doing that, I know, being a business owner, staffing has been really hard and we did get the pleasure to hear one property that was struggling with staffing. I asked another property just getting excited about the F1 Las Vegas Grand Prix. Having been born and raised in Las Vegas, I mean, those casinos and everything else have always been a livelihood. My dad likes not paying state income tax because of it. It has just resonated through my family. I was sad to see that we could not sell out all our rooms because I was hearing from another property that we were short-staffed.

Mr. Vassiliadis, you are in the hot spot being the Nevada Resort Association's representation sitting there. Are other properties having difficulties hiring and maintaining staff at this time to make sure we could be at full capacity, maybe by the F1?

Billy Vassiliadis:

It is a hospitality-wide challenge from hotels to airlines. We have been going through pilot shortages and flight attendant shortages. In 2022, 8 percent of the hospitality workers in this country left permanently. There are two major airports in Europe, Heathrow and Schiphol in Amsterdam. Those are two major points of entry that have capped the amount of flights because they cannot hire enough staff to service the airlines that are landing. There are predictions of another pilot crunch coming in the fourth quarter with a bunch of retirements. Again, going back to all of the national surveys pointing to the No. 1 thing, particularly under 40-to-45-year-olds, workers are looking for flexibility. Why? You have a lot of working parents here, they can be with their kids in the afternoon, either work from home or pick their shifts easier and more to their ability to do. In every one of our properties, we had hotel properties that had floors closed, that had wings closed because they could not service them, and restaurants that have earlier close times. It is not just the room-cleaning side, it is also restaurants, waitstaff, et cetera, that are either closing earlier, opening later, reducing menu selections, and how to do other things to deal with the staffing shortage.

Now again, it has gotten better, it is getting better. But as an industry nationally and internationally, we have not turned the corner yet.

Assemblyman Yurek:

I truly appreciate this bill. I had so many constituents talking to me, when you go up there, will you please try to roll back some of the provisions that were put into statute. I can only imagine being up here in the special session and trying to work through the challenges of that time period. As we reflect back, it seems like forever ago and it seems like it was yesterday at the same time. I really appreciate the intent of this bill. I have a two-part question. The Senators in particular would be able to answer the second question. Mr. Vassiliadis, the first question is more towards you.

As I have been approached by opponents of this bill, there have been a couple of numbers that have been thrown around. It seems to me the loudest argument against this bill is the preservation of jobs. We need to keep jobs; we are going to lose jobs. I am going to use the round numbers because they were the ones given to me, so I do not want to say these are the exact numbers. I was told we have 15,000 room attendants in the state. Then I was given the number that we would lose 10,000 jobs if we were to repeal the provisions of S.B. 4 of the 32nd Special Session. I thought, Okay, that means we had about 5,000 before. The fifteen now minus ten, we had about 5,000 before and when I asked that question, it came back to me, no, we had 25,000 before. The math is not making sense to me and perhaps it could be me. I am a relatively simple man and I do not understand that. I was hoping maybe you could clarify that math on the record. I know my colleagues have asked similar questions about staffing shortages, then I heard even today from your numbers, we are 2,500 short. Can you help clarify that?

Then as a follow-up, Senators, in particular, with your experience in the Legislature, can you clarify? Are you aware of any other law we have that has singled out any sort of industry like this that says we are going to enact into statute this just to preserve this number of jobs?

Billy Vassiliadis:

I was bad at math, too, by the way. There is no reality I know of where that is going to happen. We are trying to hire people. The entire industry throughout the United States is desperately trying to hire staff for hospitality. I am not aware of the 25,000. Jobs will not be lost as a result of this being repealed. Why do I say that with such certainty? Because I actually spoke to chief executive officers around the industry. Right now, we are worried about servicing F1 to the levels the international visitors expect. The CES [Consumer Electronic Show] came roaring back last year. That is in January. Everyone is talking about F1 and Super Bowl. New Year's is in between those; New Year's used to be the, Oh my gosh, how can we do this event of the year, and now it is almost an afterthought. The rolling amount of events and entertainment conventions are constantly coming in with people who have a choice, they have a choice of picking this destination, doing their events in Las Vegas, hosting their conventions there, and they are picking Las Vegas. Why? Because we provide awesome service, and are responsive to our customers.

I see no reason we are going to lose jobs unless there is a serious economic downfall. It will not be as a result of repealing this bill.

Senator Nguyen:

Just piggybacking off of that. In the resort industry, some establishments have certain star ratings and certain distinctions of note that require certain levels of cleanliness and require a certain number of attendants. I imagine they will want to continue to have those ratings and so they will continue to have that. It is interesting you say that because I have heard those same numbers being bandied around. It is very clear this just puts us back to where we were in 2019, even 2020, the beginning of 2020. This does not take away anything. This just takes away the provisions that were put in place for COVID-19.

You have talked about whether or not there are any other provisions in the law that I can think of or that I participated in that protect jobs. That is why this bill is not about jobs. This is a COVID-19 bill that was meant to save lives. This is protocol and these are standards that were put in to prevent death, to prevent people from being sick, and to protect not only the workers who were there, but the industry, tourism, and everyone who was coming into the state. This was never a labor bill. This was a COVID-19 protection bill, and COVID-19 is over. The protections should also follow that science.

Senator Dondero Loop:

No, I am not aware. I spent six years on the Assembly side, as you are aware, three sessions, and I am in my second session here in the Senate and I am not aware of any bill that does this. This was a COVID-19 bill, period. This has always been policy and I hope those of you who are listening today here and online realized this was never about punishing a certain industry; this was about COVID-19. Before this, as far back as I can remember, this has been policy. All we are doing is returning this back to the policy state with this bill.

Assemblywoman Duran:

First of all, for the shortage of workers, do you think with the customers who are refusing daily room service, it makes it more difficult for the guest room attendants to clean once they leave, because once you do not clean the room for a couple of days, it gets more intense for them, it causes them a little bit more workload issues. Do you think there is a connection with the labor shortage due to some of these housekeeping duties they are facing because of guests refusing and they work harder on one day more than the next?

Senator Dondero Loop:

Actually, our stay of our normal, regular customer, our tourist who comes in, is about three days. Mr. Vassiliadis gave the statistics that most of our customers come in for a weekend, come in for a conference. Those are all about three-day stays. Some of the things that may happen in hotel rooms that we are concerned about even as a community, may not happen in those three days. With that being said, the other thing I would add is with the daily room cleaning, our workers are going in those rooms, but all those rooms are not being cleaned. Over 50 percent of our customers are not requesting daily room cleaning.

Assemblywoman Duran:

I also hear from the guest room attendants as well. I know back in the early 2000s we had the norovirus. If we do away with this, what are the protocols? I do know there are guests who come to the hotels sick, although it is not as rampant as it was during COVID-19. What are your protocols to keep the guest rooms and your guests safe when we have guests who have COVID-19?

Billy Vassiliadis:

We have protocols set forth by the health district, by state law. The cleaning standards prior to COVID-19 were all met and are at the highest levels, and they are going to go back to that. Protecting our guest room attendants, our customers, all of our employees is already firmly regulated and overseen by the health districts. Any complaints are responded to; there are

protocols that are set forth. I cannot off the top of my head say exactly what type of detergent, or deodorant we are using, et cetera.

Let me mention this one point we did in the Senate. Initially the idea of not doing daily room cleaning was at one point inspired by a concern for the environment. Think about 155,000 rooms that need to get laundered every day, washed every day, soaped every day, water usage, and effluent going into the [Las Vegas] wash, et cetera. Some of it began there, and again, it is customer preference. Ms. Molino pointed out we are seeing a behavioral change in our customers and the fact they are less apt to want to be on a rigid schedule, whether it is cleaning or any other form, we are going back to normal, but back to normal is also a bit of a change given who is coming to Las Vegas.

Assemblywoman Duran:

I appreciate that, because I do remember everybody wants to conserve our energy and stuff we do have. Even by going green, you do not need to stop cleaning the whole room by vacuuming, just cleaning the bathroom. The green program was just the washing of your linens and towels.

Assemblywoman Torres:

I remember the presentation for S.B. 4 of the 32nd Special Session vividly, sitting as a legislator in this building. Over the last few weeks, I have had the privilege of speaking with many casino employees. Quite honestly, I do not have to go far to speak to casino employees. I can call my father and his friends. I have had many conversations with them, and one of the issues they have expressed is there are additional requirements regarding cleaning and testing, and that makes it harder for employees. Can you speak to that? Some of those requirements that exist only for casino employees that we put in statute with S.B. 4 of the 32nd Special Session do not exist for other industries.

Billy Vassiliadis:

A lot of those standards are set by the health district, particularly for food handling. Back to Assemblywoman Duran's question, those protocols were put in place for the protection and the health of the employees. Yes, some of them could be cumbersome; some of them could be very tedious. Health care professionals are recommending those protocols, gloves, masks, et cetera, for kitchen help, food handling, how to clean rooms, how to make sure the right sanitary supplies are being used. It is universally dictated by health authorities who have determined these are the best processes.

Senator Nguyen:

That is a very good example of why this bill needs to be repealed. I heard the same complaints and same concerns when I talked to our housekeeping staff who have been up in the building over the past couple of weeks. I heard that repeatedly over and over and over again they did not like to have to do some of this strenuous testing to get back to work, to be able to do these things. With the repeal and the passage of Senate Bill 441, they would no longer have to do that. It made sense in 2020 when we determined this; I think we were quarantining at that point for 21 days. Now we know, and we have therapeutics, we have

vaccinations, we have other things. We have masks that are readily available. People do not quarantine that long for COVID-19 protocols. The quick answer to that is if this bill were to pass and these were to be repealed, those same protocols would not be there. As far as some of the other protocols, for cleanliness and sickness, those are already dictated in our *Nevada Revised Statutes*.

Assemblywoman Torres:

I appreciate that because it definitely shows there will continue to be an effort to keep our communities safe, obviously, without putting all these additional strenuous requirements on employees. I know specifically the issue with getting back to work after somebody has tested positive for COVID-19—no longer has COVID-19 but still tests positive. I know that has been a concern I have heard from constituents having a hard time going back.

Assemblywoman Kasama:

I know when we brought forward S.B. 4 of the 32nd Special Session it was a difficult time for our state, but I certainly feel government is in the business of providing guardrails for the people and not to micromanage businesses. I completely agree with this bill being brought forward. We have had safeguards in place by health districts, as you said, and other agencies that oversee and they set the regulations as needed. That should absolutely not be done in statute. That is the regulatory environment. It worked before COVID-19 came. I trust in that process again; as we have said, we are the No. 1 hospitality industry and destination in the world. We do a good job. We have always done a good job, and I know it will continue. I thank you very much for bringing this bill forward. I, too, am one of those people in a hotel room, I like to decline some cleaning because I like to think I am saving some water and energy for our planet. That is an option we should have, and it is up to businesses how they want to please their customers. Thank you again for bringing the bill forward.

Assemblywoman Hardy:

I, too, remember those special sessions in 2020 and the difficult decisions we made, and as you mentioned, the need for some of these requirements at that moment in time that they were needed. Now we are in a place where we have moved on, and now we look at going forward. As was mentioned, most of those things in S.B. 4 of the 32nd Special Session were set to expire, and we are at that place now. If these are kept in statute, would that not—as we move forward and face other things that come up in the future—make it more difficult for these regulatory bodies to change or modify things as needed, if they have to go by what is in statute currently?

Senator Dondero Loop:

Certainly, we know that if you are a room attendant and you test positive for COVID-19, you have to get a COVID-19 test someplace and you have to stay off of work until you have a negative COVID-19 test. Certainly, if I were a room attendant, I would be missing work and missing pay for those days. You do not get discretionary sick days when that happens. That might answer your question.

I believe, and I know that my colleague next to me believes, that the Resort Association has always done what is best for our customers here in Nevada. We all come up here every other year. When you put a time stamp on that, it was two years ago when we were here; there was nobody in this building. We were all in our offices. That was 2021, and it was March of 2020 when we actually locked down. When you think of those time stamps in that amount of time and the things that have changed, it is time for us to move forward.

Assemblyman Carter:

I was going to ask if we thought we were going to be back to pre-pandemic, post-pandemic, if there was going to be a comparison. But I am hearing that is really not the new reality. It reminds me of the health care world where there was, at least from my point of view, resistance to telehealth. Now there is a demand for telehealth. What are we looking at in the reduction in demand for room cleaning, and what are the resorts doing to try to increase the attractiveness of coming into this job market and staying in the job market? I have heard stories of people who have been working for hotels for a long time who only work Saturday, Sunday, Monday, maybe, and so never qualify for benefits. Are there efforts being made to make these truly full-time positions?

Billy Vassiliadis:

Most of the positions, unless there are some sort of economic struggles, are full-time. Some of the questions that have been asked here are excellent, including that question. A lot of that comes out of the collective bargaining agreements and those are in the process of being negotiated again. Culinary has done a terrific job in protecting the stability of the workforce over the years. Our properties obviously value that stability, and that training, having an experienced person, whether it is on waitstaff, cleaning a guest room, or any other part of the property, is vital. I am not sure I have heard there is much lack of stability in those positions.

Assemblyman Yeager:

I am trying to think back, and 2020 was, obviously, what it was. I have a distinct memory at some point of a press conference that took place at the Grant Sawyer State Office Building with Governor Sisolak and [Nevada Gaming Control Board] Chair Sandra Douglass Morgan was there. I cannot remember if that was to announce the closing of the resorts or the opening of the resorts, there was so much going on.

I come at this from the vantage point of being Chair of the Legislative Commission. One of the things we do in the Legislative Commission is approve regulations of the State Gaming Control Board (GCB), the Nevada Gaming Commission; they are not subject to the Administrative Procedures Act, so they can make their own regulations. But the Health Department and all of that are subject to legislative oversight through the Legislative Commission. My question is, we have protocols in statute, and we are being asked as a body to potentially repeal those. I was wondering if one or more of you could speak to the notion of, if we have something else, God forbid, that arises in the state—not just COVID-19, maybe something else—if there is an avenue for the gaming authorities, the Gaming Commission, GCB, or our health authorities to pursue either emergency regulations, which

can be enacted without legislative approval, or go through the normal legislative process to be able to fill this gap.

Billy Vassiliadis:

I was asked this in the Senate by Chair Doñate. I think it is vital the state create some sort of emergency response plan to statewide health care threats like this. Will there be another one like this? I hope not. People are saying yes, but people have used the word "unprecedented." I was active in the COVID-19 response work. The Gaming Control Board at the time was not sure it had the authority to do some of the things it did, but under the emergency order was given permission by Governor Sisolak to do it. The GCB did the monitoring of masking, cleaning, and everything that was happening on the properties. The GCB was sending letters; it could fine; it did fine in a couple of cases where there was noncompliance.

Do I think there needs to be—not just from a gaming standpoint from the experience we just had going through COVID-19—some better-outlined plan for how we can respond to that, because the challenges and to the question that was asked for flexibility and regulations, et cetera. The challenge at the time was we could not necessarily leave this to the county and county health districts because this thing traveled across county lines. It traveled across state lines. It was all being done from the state's standpoint to try to have a coordinated and effective response.

History will judge how coordinated and effective it was, but again, it had never been done before. Mr. Speaker, I think it would be very wise to set something up to have something that triggers responses: who the responsible parties are and how to get the health districts together under some central authority if there is a crisis like that that threatens every resident of the state equally.

Senator Nguyen:

As you know, chairing the Legislative Commission, with the state agencies and the public health districts under executive emergency declarations, there is the ability to have some of these regulations promulgated, put forth before the Legislative Commission. There is already the ability to do that. As I said, we are not taking anything away, we are just removing those protocols put into place as a response to a very specific event, the COVID-19 pandemic, that we had just begun at that time.

Assemblywoman Monroe-Moreno:

I have a question that pertains to the bill, but even without the bill. You mentioned that you were short of hospitality workers, room attendants, across the board. Can you tell us what you have done? Whether this bill passes or not, you are still going to have a shortage, apparently. Have you talked to the employees and asked them why there is a high turnaround? What are you doing to address that?

Billy Vassiliadis:

Ms. Molino from MGM said they are having a job fair this week and every company had job fairs, weekend after weekend, trying to attract folks. Again, part of it is, and I do not mean to

get into a sort of bigger discussion, I think for this Committee, right now there needs to be an entire reassessment of what our workforce wants. It is not just this position or just guest room attendant positions that are not getting filled. If you look at, again, I know you have heard it, public safety and all the other areas that require fixed times that people have to be for certain schedules is becoming an increased challenge, with the opportunities that people have to not have to go on a fixed schedule, not have to be in sort of a physical plant eight to ten hours a day. The industry is doing everything it can to recruit, recruit, recruit. The challenge I think for us is bigger—it is societal, and it is happening throughout the world right now.

Assemblywoman Monroe-Moreno:

Are you finding that the employees who were guest room attendants who are leaving that role, are going to other positions within the resort industry, or are they going to other industries in general and leaving the resort industry?

Billy Vassiliadis:

This is somewhat anecdotal. They are going to positions, for example, at fulfillment houses where they have more flexible scheduling. They do not have to travel as far. There are 20 to 40 fulfillment houses in Clark County. Getting something closer to home and having more flexible hours is where I sense, or I have heard, we have lost quite a few resort workers. Again, flexibility is the No. 1 thing they are looking for.

Chair Marzola:

Are there any additional questions? I do not see any. Thank you for the presentation. We will move to support testimony on Senate Bill 441.

Andrew Diss, Senior Vice President, Chief Strategy Officer, Meruelo Gaming:

To Speaker Pro Tempore Monroe-Moreno and Assemblyman Carter's questions specifically, what are we doing to retain our workers and to get them to stay? Part of the reason for the high turnover we are seeing is because we are trying to fill our shortages with J-1 visa workers. A J-1 worker visa is through the State Department. It allows foreign workers to come and stay specifically in the hospitality industry for up to a year. Once that year is up, they have to go home. We are constantly seeing an influx of new workers. We have to go through new training, then their year is up, and they leave, and we start the whole process over again. At both of our properties, we stand at about 30 percent of our guest room attendants are J-1 workers. On a yearly basis, we are seeing another 30 percent turnover.

There is a mix where the non-J-1 workers, if they leave, they are getting local jobs, possibly in fulfillment warehouses. The crux of our shortage really comes in, and turnover comes down, to the J-1 workers returning home.

Karlos LaSane II, Regional Vice President, Government Relations and Community Affairs, representing Caesars Entertainment:

When the COVID-19 virus descended on Nevada, it devastated families. It took loved ones from us and a great deal of our businesses and industries came to a complete halt. Nevada's

gaming and hospitality industry, as well as all nonessential businesses, were shut down on March 18, 2020, to slow the spread. We reopened in June 2020. Senate Bill 4 of the 32nd Special Session was passed using the then Centers for Disease Control and Prevention (CDC) guidelines on how to provide additional protections for workers, and it underscored to our guests that we were doing everything in our power to create a safer environment.

The gaming and hospitality industry also implemented an aggressive vaccination mandate for all of our employees and set forth strong health and safety protections and protocols for our guests. The membership of the Nevada Resort Association participated in daily, weekly meetings with county leadership, including public safety, state health departments, and the Office of the Governor. In the last three years, medical experts have learned a great deal about how this virus is transmitted. In the beginning, I am sure I was not the only one disinfecting my mail. Since that time, epidemiologists discovered this is an airborne virus. It is not transmitted from contact with surfaces.

The provisions of S.B. 4 of the 32nd Special Session were well-intentioned. This bill was conceived at a time when the facts were unknown to us, but now is the time to move on. Medical experts can continue to have the vocabulary debate about pandemic versus endemic. The medical community now agrees that surface contact is not how the virus is spread. Additionally, the spread and the severity of the cases have subsided substantially, and the data supports that. The lingering requirements of S.B. 4 of the 32nd Special Session will no longer be necessary. It is time to move forward. I urge you all to support S.B. 441. For the record, Caesars has a national day of hiring tomorrow from noon to five.

Stephen Ascuaga, Corporate Director of Business Development, Peppermill Casinos, Inc.:

I would like to thank you for this opportunity to discuss S.B. 441. I would also like to take a moment to thank Senator Dondero Loop and Senator Nguyen for their leadership supporting this bill that is so critical to our industry. I will be brief with my comments and try not to be redundant with so many of the valid points that have already been made. However, the point of reference of how we got here is one worth repeating. Senate Bill 4 of the 32nd Special Session was crafted at a time when there were very few answers and the desire and need to work together were critical. As all of us in this room know, the intent of S.B. 4 of the 32nd Special Session was never meant to go into perpetuity. To be the only state, let alone a state whose No. 1 industry is tourism, operating under obsolete COVID-19 restrictions three years later, is hard to fathom.

As a business operating for over 50 years, the Peppermill understands cleaning standards. Our company's commitment to cleanliness, safety, and well-being is expected from our guests and it is expected from our employees. This is not something that needs to be legislated. Separate from cleaning standards, S.B. 4 of the 32nd Special Session has been extremely challenging for our human resources (HR) departments. The increase of requirements in testing, callbacks, paid time off management, et cetera, has been burdensome and a major distraction to the purpose of an HR department and that is taking care of our employees. Now is the time to once again pull together state leaders such as yourselves and

its leading industry to work together. Senate Bill 4 of the 32nd Special Session is outdated, unnecessary, and harmful legislation.

Virginia Valentine, President, Nevada Resort Association:

The Nevada Resort Association today is in full support of S.B. 441. I would like to thank Senator Dondero Loop and Senator Nguyen for their work recognizing it is time for Nevada to join the rest of the world by removing one of the last pandemic response mandates. Gratefully, the pandemic is over; Nevada's emergency declaration ended quite some time ago; President Biden has ended the national emergency, and the World Health Organization's (WHO) Director General is talking about the end of the international public health emergency.

Thankfully, today is not the summer of 2020 when S.B. 4 of the 32nd Special Session was signed into law. All of us remember the first days of the pandemic when no one knew anything about how the virus spread, the CDC did not have tests, the doctors were guessing what treatments to try, and everyone including the CDC and the WHO were doing their best. So much was unknown. The situation was rapidly changing. The resort industry quickly realized how serious the situation was. Many of our members closed before they were required to do so. They immediately contacted some of the most expert epidemiologists in the country and developed their own health and safety plans and posted those on their websites. We also worked with regulators and the GCB, the health district, the state, and many others whom you have heard mentioned here today.

As more and more was learned about the virus and the virus itself changed, the protocols changed to the extent they could within the law. We witnessed how often the CDC changed requirements all along. We were told, Do not wear a mask; Do wear a mask; Only wear a certain type of mask; Stand six feet apart; Stand three feet apart. I think that sort of speaks to the very dynamic nature of managing the response to the pandemic. One of the most important things to appreciate here is that now we have specific requirements in state statute. We do not have the ability to change those as the situation changes. We would urge you to consider removing those requirements. We will go back to the pre-pandemic requirements for health and safety; the health districts all have regulations on keeping rooms clean. There were requirements in the law before, and there will be requirements after.

Bryan Wachter, Senior Vice President, Retail Association of Nevada:

We are here today in support of Senate Bill 441, and we want to thank Senator Dondero Loop for bringing this bill forward. For us, it is important our industry relies on making sure there are very healthy industries in Nevada, the resort industry being one of them. During those time periods where employees were sent home, there were huge effects on consumer behavior, consumer shopping, and certainly the supply chain. From the retail standpoint, we had to be flexible, we had to change every time the CDC would change its guidance on daily, weekly, or monthly bases. We had to be flexible.

A lot of that speaks to how well and how successful Nevada was in pulling out of this pandemic. We believe at the Retail Association of Nevada that it is likely—although we do

not know when—that Nevada will probably be faced with another viral pandemic. We believe in making sure we are leaving the appropriate information, plan, evaluation, in how COVID-19 went, so there is proper information for those generations going forward to be able to understand how we responded as a state and as an industry to that challenge, and what things can be done in the future in order to avoid some of the cash shortfalls that we fell into.

I know we were caught off guard and had to do a lot of research and history on what happened during the Spanish flu and other pandemics. It is important to make sure we have a clear, precise record of what worked and what did not work. That flexibility that allowed us to really pull ahead of COVID-19 is the antithesis to S.B. 4 of the 32nd Special Session, and we would strongly urge your support of Senate Bill 441.

Tom Clark, representing Reno+Sparks Chamber of Commerce; and Nevada Outdoor Business Coalition:

Both of those organizations very much support this piece of legislation.

Erin Midby, Vice President, Government Affairs, Boyd Gaming Corporation:

Boyd Gaming is in strong support of S.B. 441. I would like to thank the sponsors, Senator Dondero Loop and Senator Rochelle Nguyen, for their work on this bill and for bringing it forward. As you have heard, when S.B. 4 of the 32nd Special Session was passed in August 2020, it was the height of the pandemic and much about the COVID-19 virus was still unknown and not yet contemplated. Back then, we did not know how it was spread. Vaccines were not available, and it was thought that individuals could only get COVID-19 once, just to name a few. Fast forward to April 2023, and we know so much more than we did back then. COVID-19 as well as our response has evolved significantly. We have had numerous variants; vaccines and boosters are widely available; CDC guidelines have changed frequently; and we have additional tools, procedures, and protocols for reducing the spread of the virus.

Put simply, we understand COVID-19 much better now and how it is spread. The sole goal of S.B. 4 of the 32nd Special Session was to keep employees and customers safe from COVID-19, and that remains our top priority. However, today the provisions of S.B. 4 of the 32nd Special Session are outdated and ineffective in protecting our team members. It only creates a burden on those for whom it was originally intended to help and keep safe. For example, S.B. 4 of the 32nd Special Session was intended to sunset, but the metrics included to trigger that sunset are not collected or even reported in some cases. Senate Bill 4 of the 32nd Special Session is not tied to CDC guidelines, and it put additional burdens on employers and employees alike that are no longer required anywhere else. The provisions of S.B. 4 of the 32nd Special Session are no longer necessary to keep employees and visitors safe from COVID-19, and we have sufficient and adequate protocols in place to address cleanliness and safety in resort hotels.

In a time when every industry everywhere is facing workforce and hiring issues, S.B. 4 of the 32nd Special Session only exacerbates those challenges. Our company is no exception. Currently, we have a shortage of guest room attendants, among many other positions, and we

cannot run our properties full each day. With the requirements of S.B. 4 of the 32nd Special Session, our properties that are not fully staffed must schedule for lower occupancies midweek so we can run at maximum occupancy on the weekends when we get the most demand. We urge the Committee to support S.B. 441 and repeal these onerous and outdated provisions of S.B. 4 of the 32nd Special Session.

Joelle Gutman-Dodson, Government Affairs Liaison, Washoe County Health District:

We are in support of S.B. 441. As you all might recall, health districts suddenly became front and center during the COVID-19 pandemic. I am sure many of you did not even know we existed prior to COVID-19. The pandemic was an exceptionally difficult time for us. And while much of the state and the world was shutting down health departments and health districts nationwide and throughout the world, we were taking on duties at a scale we had never experienced. Disease investigation, contact tracing, testing, vaccine administration and dissemination were all tasked to us. When S.B. 4 of the 32nd Special Session happened in the dark of the night in the 32nd Special Session, we saw it as an unfunded mandate that put further strain on us.

We were dependent on the fact that the positivity rate would trigger. However, as a result of testing practice shifts and the way we do it currently, we can no longer accurately measure the positivity rate in the community. We cannot accurately tell you that we do not need to be doing this anymore. We are in support of S.B. 441, and for the repeal of S.B. 4 of the 32nd Special Session, removing the additional regulations and inspections of certain hotels and casinos that this applied to. We are confident that our preexisting hotel and resort inspections provide for the safe management of public and environmental health matters when these regulations are properly enforced and followed.

I wanted to thank the Speaker for having these conversations preemptively about how to deal with our next emergency because in public health, we do not say if, we say when. We do need to plan how we are going to deal with our next emergency.

Elyse Monroy-Marsala, representing Nevada Public Health Association:

We are here to support Senate Bill 441 with the Washoe County Health District. The Nevada Public Health Association (NPHA) is the state's public health trade association, and it is a membership organization made up of the state's leading public health experts. I wanted to touch on the line of questioning my colleague just mentioned about planning for the next public health crisis. The Nevada Public Health Association has supported a number of public health infrastructure bills to date in the 82nd Session. This infrastructure will bring resources to this type of planning, but NPHA also encourages the state's gaming properties to be active participants in this planning. We encourage them to engage with NPHA's experts for the next public health emergency. Las Vegas is an international leader for hospitality, and Las Vegas should be the place other tourism destinations look to for best practices on how to manage and maintain guest public health and safety.

Mary Beth Sewald, President, Chief Executive Officer, Vegas Chamber:

The Vegas Chamber is in support of Senate Bill 441. For historical perspective, the Chamber was also a leading advocate for the passage of S.B. 4 of the 32nd Special Session in August 2020. It made sense at the time to adopt these provisions into state law when we were uncertain about how we were going to move forward from the initial effects of the COVID-19 pandemic. However, since that special session, we have developed a much better understanding of how COVID-19 is transmitted. Vaccines and antiviral medications are readily available to the public. The economy is fully reopened, and many COVID-19 standards have expired or have been repealed at the local, state, and federal levels of government. The state lifted its emergency declaration on COVID-19 on May 20, 2022. That is why we believe the daily cleaning provisions that were adopted with the passage of S.B. 4 of the 32nd Special Session should be repealed. This legislation reflects the progress we have made against COVID-19.

Keeping these measures in state law contradicts the progress we have made in our public health response to COVID-19. As you know, many of the COVID-19 reporting elements are no longer available and it is only hindering our largest industry. These provisions are also labor-intensive, costly, inefficient, and require more water resources, supplies, and are burdensome to the hospitality industry. That is why these provisions should have an expiration date, as the COVID-19 civil litigation immunity does in state law, which was also adopted in the passage of S.B. 4 of the 32nd Special Session.

We believe this bill is important as we move beyond the initial public health care response to COVID-19 and adapt as we have always done in the state. Thank you so much for your time and consideration and supporting Senate Bill 441.

[[Exhibit C](#) was submitted but not discussed and will become part of the record.]

Chair Marzola:

I will close testimony in support of Senate Bill 441. Mr. Ted Pappageorge, you have the floor for 15 minutes. You may begin when you are ready.

Ted Pappageorge, Secretary-Treasurer, Culinary Workers Union Local 226:

Historically, lawmakers have tackled tough issues that impact working class families. Overtime protection, requirements for breaks on the job, and existing cleaning regulations have already been in *Nevada Revised Statutes* for years. In fact, S.B. 4 of the 32nd Special Session was built on existing room-cleaning regulations that have been in place for quite a long time. This daily room-cleaning issue is another example the Nevada Legislature has a responsibility to deal with. We think elected officials should step up and protect their constituents. The Culinary Union recognizes the need to repeal some of the provisions and most of them from S.B. 4 of the 32nd Special Session. We were intricately involved with the drafting of S.B. 4 of the 32nd Special Session and the passage of S.B. 4 of the 32nd Special Session in the 2020 Special Session. We are strongly opposed to S.B. 441 as currently written because the Culinary Union believes the Nevada Legislature should step up and take on this issue of daily room cleaning. It was standard practice in Las Vegas prior to the

pandemic. It was a good policy during the pandemic and is still good policy. Protecting daily room cleaning means protecting workers, protecting Las Vegas's image and protecting hotel customers.

Since the pandemic, resort hotels in Nevada have cut short-term costs to achieve long-term downsizing of labor, which is very unfortunate because the customers are still paying for first-class service in first-class rooms, but not getting the first-class service. Ultimately, Nevada's reputation of being a premier hospitality destination suffers. We think the industry is attempting to change guest behavior based on the pandemic, and we think that is bad for everyone. It is bad for the workers, bad for the hotels, and bad for Las Vegas and Nevada. By cutting labor costs, companies are shirking their social responsibility of providing good and sustainable jobs in our local community simply to reduce costs. All of this is happening in the midst of repeated record revenue. In 2022, Nevada's casinos generated a record-breaking \$14.8 billion in gaming revenue. Wall Street analysts expect gaming results from the Strip will grow in 2023, given the recovery in group meetings and convention business, the return of international visitation, and the heavy interest in November's F1, Las Vegas Grand Prix, which has already attracted worldwide interest.

What have the Nevada gaming companies done with their record earnings? Well, MGM Resorts International spent close to \$4.7 billion on share buybacks and has authorized another \$2 billion. Caesars Entertainment has spent \$1.2 billion to pay down its debt. That is all good. We support that. You would think with all these profits, a lot more jobs for Nevadans would be created, but in fact, the gaming industry has only provided as many jobs now as it did in the mid-1990s. The Bureau of Labor Statistics government data for employment levels in February 2023 showed there were 148,400 Nevadans employed in the state's casino hotels. In January 1994, that figure was only 400 more at 148,800.

As *The New York Times* reported in September 2020, even before the pandemic companies wanted to save money, so they created programs that discouraged guests from requesting housekeeping but framed them as environmental initiatives, the so-called green programs, and offered guests reward points for skipping cleaning. Now we see the pandemic, especially as housekeepers see it, has given these companies an opportunity to trim cleaning even more and cut their costs. We think the attempt to eliminate daily room cleaning or reduce it is really concerning for Nevada's resort hotel association and industry. Especially for a resort hotel, the lack of daily room cleaning unnecessarily downgrades and degrades the resort experience guests would expect when paying hundreds of dollars either on vacation or on business trips for these room rates that are 30 percent more expensive now than they were before COVID-19 and with resort fees on top of that.

Recently, there was an outbreak of Legionnaires' disease. God forbid we get that sort of outbreak again. Another reason daily room cleaning is essential: it needs to be part of the safety and security of tourist guests in our No. 1 industry in Nevada. Reducing daily room cleaning would be an absolute blow to a group of workers who are majority women and women of color who have already been economically most impacted as a result of the COVID-19 pandemic. We cannot leave these working women behind. The Culinary Union

urges the Nevada Legislature to oppose S.B. 441 as written or significantly change the law to ensure daily room-cleaning provisions of the current law are intact and enforce the current law that mandates daily room cleaning that is not happening across the gaming industry.

As you heard from the Washoe County Health District, it was an unfunded mandate and had very little teeth. You might say, Why are you here? Why are you negotiating? Why are you not negotiating for daily room cleaning in your union contracts? The answer to that is we will. Prior to the pandemic, hospitality companies provided daily room cleaning with the standard do-not-disturb card all guests have available on their door. It was understood that Las Vegas is the entertainment capital of the world and guests should expect full room service and clean rooms.

Our five-year contract with employers expires this year, and we will be negotiating wage increases, health care benefits, workplace safety, and workload issues, including daily room cleaning. We think these may be strike issues, and we will fight for the best contracts for our members. But that is not enough, and again, we are asking the Legislature to step up as other legislatures have, and we think companies are going to need to pay more for the hardest job that these companies have made harder after [removing the requirement for] daily room cleaning. We will take care of our part of that responsibility and negotiations. We think, again, the Legislature has a responsibility to step in on this very difficult issue.

We claim in Las Vegas that we are the gold standard, but the New Jersey legislature passed daily room-cleaning standards. Many of the same companies that are lined up opposing daily room cleaning in Nevada have hotel resorts in Atlantic City and operate under those same regulations, which do not limit the ability for guests to put a do-not-disturb on their door as S.B. 4 of the 32nd Special Session did not limit the guests' right to put a do-not-disturb on the door. Why is it good enough in New Jersey for these same companies but not in Nevada? Even with the state regulations, our UNITE HERE sister Local 54 was forced to a strike and the eve of a strike by the employers in order to resolve the daily room-cleaning issue in their contract. That is why we are asking the Legislature to step in. It is the important but also the right thing to do.

In 2018 contract negotiations, in response to the October 1, 2017, (1 October) mass shooting on the Strip, we made it clear to the employers that the idea that someone could hole up in a room and refuse service day after day was unacceptable. You heard, and it is true, we negotiated language on safety checks and safety buttons in addition to standard daily cleaning that would help ensure that can never happen again. We will do our part in negotiations, but this is about workers and workload. It is not just about that, it is about safety and the well-being of your constituents who work in these hotels, but it is not just about that, it is about protecting the industry that is the lifeblood of the state of Nevada.

There has already been a national scandal about this issue, and we cannot afford to have more of that from Las Vegas. I want to also talk a little bit about the issue of job losses in the hospitality industry that makes work more difficult for women, especially women of color. It is inconsistent with the gaming industry's commitment to safety and inconsistent with

Nevada's promotion of being a premier travel destination. Any efforts to reduce housekeeping jobs in the hotels would further devastate those communities of color and they are still recovering from the COVID-19 pandemic. It also makes the job more difficult, and it increases work-related issues among a demographic that is predominantly women and women of color. A hotel room that is not cleaned daily during the guest stay becomes harder to clean upon checkout. The work is just difficult. A 2016 time-motion study of an all-suite hotel found that "checkout" rooms took 82 percent longer to clean than "stayover" rooms. The American Hotel and Lodging Association has recommended that for pests including bedbugs, the best prevention is daily inspection.

Daily room cleaning is a safety issue. Guest room attendants are often working alone in the hallways and if there is not daily room cleaning. Another safety issue is less security. There have been reports of angry guests, but also safety issues on the floors towards guest room attendants. Another issue that is always on a guest room attendant's mind is the threat of another mass shooting like 1 October. When a guest room attendant knocks on the door, they never know what is behind it. They worry about opening the door to a pile of weapons or worse. We hear constantly from guest room attendants both union and nonunion about this issue. We must do everything to prevent another incident like the horrible incident that happened on October 1, 2017. But that is also a part of daily room cleaning, we believe.

The New York Times reported in March 2023 that a travel industry observer asked about hotels in general. Why would you stay at a full-service hotel if they strip away the benefits? We agree; customers pay for full service and they should get the quality service the hospitality workers provide, otherwise why would tourists not just stay at an Airbnb? That is the question of the opposition of this industry in Nevada when they work under daily room cleaning regulations and have agreed in the union contract in New Jersey to daily room cleaning. What is the opposition here, or is next in the gaming industry's playbook a march toward cutting more labor costs and increasing profits with less service?

The Culinary Union advocates every day for workers, union and nonunion. The original law that was passed in 2020 protected all workers in the hospitality industry. We continue to push for protections and include nonunion guest room attendants, including on the daily room-cleaning issue. Daily room cleaning impacts tens of thousands of guest room attendants employed in downtown, the Strip, and throughout the Las Vegas Valley. In Nevada, 90 percent of people who responded in a March 2023 poll said they would support a law mandating daily room cleaning. Daily room cleaning is overwhelmingly popular in Nevada, and the Culinary Union urges the Nevada Legislature to protect working women and opposes S.B. 441 as it is written.

To be clear, the Culinary Union agrees with repealing all elements except the daily room cleaning provision of S.B. 4 of the 32nd Special Session. There were some very eloquent words spoken earlier about courage, but the truth of the matter is, at this point, all parties agree the pandemic is over, the recovery is back, and it is time for S.B. 4 of the 32nd Special Session to be repealed. The real courage is to stand up for these working women, these

working women of color, who are working in a job that became much harder than it ever was before.

I do want to make it clear: companies could be doing more to hire. If you have thousands of guest room attendants, and there are 200 openings for a job that has high turnover, that is to be expected when you heard the example from one company. But union contract wage levels are a floor, not a ceiling. Companies have the ability to recruit folks in at 100 percent of the wage or 80 percent, which was an item in the contract the companies fought very hard for, and companies are not doing that. You can have job fair after job fair, but if you are going to try to bring folks in at 80 percent and you are going to a job that is harder than it ever was without a clear plan to make a difference, then you are not going to be able to bring on enough staff that you need. We disagree with some of the comments. These are experts in the hospitality industry, but we are certainly experts in the area of workload and bargaining, I would like to think.

I do want to thank you. I want to thank Chair Marzola and all of the Committee. I would like to introduce a guest room attendant to share her story, Maria Martinez.

Maria Martinez, Private Citizen, Las Vegas, Nevada:

I am a guest room attendant on the Las Vegas Strip and a Culinary Union member for 23 years. I am here today to oppose S.B. 441. After the pandemic, my job as a guest room attendant has changed a lot. The company rarely has me clean occupied rooms daily. It is not an easy assignment to me. I need to clean checkout rooms which require more deep cleaning. I was constantly being sent to different hotel room floors just so I had enough non-checkout rooms to clean every shift. Constantly moving from floor to floor was hard on my body and I was so tired every day. End-of-the-stay rooms require more cleaning while making our job harder.

Housekeeping is a very difficult job. While only doing checkouts, guest room attendants are getting hurt because we are only cleaning checkout rooms. Some ladies cry during the day shift because of how much pain they are in. There are 10,000 guest room attendants in this city. Not all are hygienists, we are fighting for daily room cleaning protection in our contract now, but it is about every else who is in the union like us.

Housekeeping in Nevada needs help because our work is too much for anybody. I hope the market listens to me because I want to do the work. I am not sure how much longer I can do this work. What will happen to Las Vegas if there are no housekeeping ladies to clean rooms in Las Vegas? I ask the Nevada Legislature to support workers and I oppose S.B. 441.

Chair Marzola:

Thank you for your testimony. Committee members, are there any questions for Mr. Pappageorge? I will start with Assemblywoman Backus.

Assemblywoman Backus:

One thing I wanted to cover were the same questions I asked the bill sponsor. One thing I noticed is, when we did S.B. 4 of the 32nd Special Session in 2020, it actually did not extend to all our hospitality resorts and hotels. I had to go back and look at the bill. I think it only applied to the two counties specifically and I want to make sure I am correct on that.

The other question I had goes along the lines of, do you all still have lists? I was not here when Senate Bill 386 of the 81st Session, the right to return to work bill, was passed. I am trying to gauge, are there a lot of individuals in the hospitality world who are still unemployed and who could return to work? I had that and then the other thing is—I come from a labor household—I always look at the fine line between safety checks and collective bargaining agreements for the scope of work. With this one, I keep looking at it as a scope of work, as you indicated, being negotiated. I would ask if you could elaborate a little more on how that aligns with safety issues.

Ted Pappageorge:

That was a lot of questions. I am going to try to keep them all straight; remind me if I miss one. Yes, it was a difficult bill to get through. That was one of the compromises to cover urban areas and cover the large properties in urban areas, not rurals and not smaller institutions. Can you tell me the second question?

Assemblywoman Backus:

Thank you, Madam Chair, I apologize, normally I would have asked for follow-up, but I was just reading all of my notes. The other question I had was about staffing. Are you in a situation where you have a lot of individuals who are currently unemployed who are available to go back to work in the industry? I look at this as, I am so proud of our state; we do have some of the finest places to stay and it is because of workers in our community who make it look good as well as just a standard we have set. I am hoping we can fill these rooms when we have big events in our town. I am kind of curious, do we have staffing whom you know of who would be available, ready to go back to work?

Ted Pappageorge:

Senate Bill 386 of the 81st Session, as we called the return-to-work bill, was extremely helpful, but there is something else that has happened. Because of this desire by the entire hospitality industry—and this is nationally and not just in Las Vegas, but it is happening here, too—we are going to take this head-on in Las Vegas and in Reno. It is a push to eliminate daily room cleaning. For the few institutions that are five-star establishments like Wynn Resorts, et cetera, that is a requirement, but for the rest, it is not.

What has happened is we had significant negotiations in 2018 about the issue of cleaning checkouts and stayovers. What was the hardest job and the most difficult job to fill prior to the pandemic was guest room attendant. Now—because companies have the intention to have much less daily room cleaning—it has made that hard job even harder. We have seen some companies simply say they are not going to provide it or incentivize guests not to take it.

The other thing out there is that workers have had a choice to make. We do not think the companies fully comprehend this issue of the ability for these workers to move to something like Amazon where they can make \$22 an hour plus benefits and pick their hours. There have to be a few things that have to happen. Again, we are going to tackle this head-on in the Strip and downtown negotiations that will involve 40,000 workers this year, the issue that the workload is going to have to be reduced and the pay is going to have to be increased. But to be able to do that for the largest percentage of our workers and the most active group, these working women—[link disconnected.]

[The Committee went into recess at 3:19 p.m. and reconvened at 3:20 p.m.]

Chair Marzola:

The Committee will come back to order. Mr. Pappageorge you were in the middle of answering the question.

Ted Pappageorge:

This job that was the hardest job before the pandemic and the hardest job to recruit for that always had openings, has now been made even harder by less daily room cleaning and more work through checkout rooms instead of stayover rooms. Workers essentially have voted with their feet, whether it is the gig economy, retirement, or to simply tell those who are potential workers that this is not the job you want inside the hospitality industry. Again, we intend to take this on, and we think we are going to have extremely difficult discussions and, potentially, strikes over this issue with the large resort operators on the Las Vegas Strip who, as I said before, have agreed to contract language and work under legislation in New Jersey that does require, to some extent, daily room cleaning and certainly does not allow companies to incentivize refusal of daily room cleaning.

What we are saying is the Legislature has a role in this, too, to these working women. It is difficult enough to take on these massive corporations, and that is where part of your role is to provide some sort of backstop for these folks who are your constituents, and they are in need. Your third issue, Assemblyman Backus, if you could help me, please.

Assemblywoman Backus:

Thank you so much and I would be happy to do that if Madam Chair is okay with my three-part question. You may not know, but I come from a labor family, my husband is in a union, so we obviously deal with the collective bargaining agreements with scope-of-work clauses and on this. I do believe there is a line between safety where we need to implement legislation and then also scope-of-work rules. When I look at where we put codified language, what we did from S.B. 4 of the 32nd Special Session falls under regulations related to SARS-CoV-2 when we were at the height of the pandemic, when we did not know where we were going to be and what the forecast looked like. I have heard you make some comments about safety, and if you could elaborate on that a little more, it would be helpful.

Ted Pappageorge:

I appreciate your bringing up the issue of safety, Assemblywoman Backus. Coming from a union family, you understand that is part of what we think is our job too, to take on safety issues. Historically, that has been a union's role, hand in hand with elected officials and legislators, state and countywide. This is a unique situation. In the 2018 contract negotiations—that was five years ago, right after the 1 October mass killings—our guest room attendants were adamant, and you heard the representatives from MGM about this issue of room checks, and it was a tough negotiation to get those on. We negotiated for room checks and also safety buttons. Some call them panic buttons. But these are massive hotels, there are dead spots and sometimes the buttons work, sometimes they do not. We are going to take another run at these room checks because they have been inadequate. We believe in this new negotiation.

These guest room attendants who are predominantly women are vulnerable. They generally work alone and are going in and out of rooms. A piece of the safety issue is the room checks and the buttons, but also the idea that you can work on your stations, which are a mix of checkouts that are much harder to clean, but also stayovers that are not as hard to clean. That equals the quota these working women need to maintain every day to finish their workload. When you are in your station, you get to learn your guests. You get to know if there is a family there, then you know who they are. If there is a group of partying frat boys who are drinking and you have to watch out for them, or a loner, who is somebody whom you may have concerns about.

When you are working on your station, when you reduce daily room cleaning, that means the guest room attendant has to do what they call chasing checkouts to go from floor to floor to get their quota because they have to finish their quota. That is the policy of the company and that is the workload issue. When you are in your station and then another guest room attendant works her station, you can look out for each other. There is always a do-not-disturb and it is common practice in the industry that you are going to have to move to other floors to finish your quota. But we have negotiated reductions and credits based on how many floors you have to move to and also other reductions that, again, we are going to be revisiting because we have to deal with this overall workload issue.

The safety issue, most tourists do not understand that piece of it. I think that our guest room attendants and comments throughout the Senate side and on this side have tried to convey the issue of safety. It is one of the reasons we feel so strongly about the idea of daily room cleaning that should continue. Las Vegas should continue to have daily room cleaning and that is an issue that will help deal with the safety issue that is always going to be there when you work alone up in the hotels. Las Vegas is a party town, and you have to watch yourself.

Assemblyman Yurek:

I want to give you the opportunity to respond to the question I asked the proponents of this bill and see if you can clarify two things for me. One is, while we all can see this is not a jobs bill, obviously one of the loudest arguments again that I have been hearing in opposition of this bill is that we are going to suffer an extreme loss of jobs. I have heard that

in your testimony today. The numbers I have been told suggest—again, you can correct these, these are round numbers—today we have roughly 15,000 guest room attendants, if we were to push this bill forward and repeal the provisions that require daily room cleaning, we would lose 10,000 jobs, and yet the numbers I see and I have been told are pre-pandemic, we had 25,000 guest room attendants. I am trying to figure out if you can help me make sense of that job loss and where those numbers are coming from.

Then related to that, if you can clarify for me if you are aware of any precedent or any other situation where this body has been asked to consider pulling back temporary provisions enacted for some short purpose, primarily in the name of preserving those jobs that temporary provisions created.

Ted Pappageorge:

I would disagree with the premise of both of your questions. I think there is a bit of a misunderstanding, and certainly our folks, when they are up in the Legislature, our guest room attendants, the women who were going door to door, may have misspoken. What we are saying is we think these jobs have already been lost. For us as a union, we are about 10,000 jobs down from before the pandemic. That is not just in housekeeping, that is in other areas. But when we look across the board and the union and nonunion areas and housekeepers across the board, we think those numbers are accurate but the majority of them, we think, have been lost where there is not daily room cleaning happening. We think if the Legislature does not take a strong stand on daily room cleaning, there could be more job losses. We think that is bad for workers, certainly bad for our folks, but it is certainly bad for the industry. As I said before, there was a national scandal about daily room cleaning already. We think that is a bad look for the industry.

The issue of legislation that was temporary, that created jobs in the first place, did not happen. This was the standard. What the legislation did was just codify what was already the standard. Senate Bill 4 of the 32nd Special Session allowed guests to put do-not-disturb signs on their rooms. Many did, many of you talked about and many of us did when we were traveling if we had to travel during the pandemic. But the pandemic is over, and the recovery is here. The jobs that were there were significant and important to this economy, but also important, we think, to the well-being of this industry and the brand of Las Vegas. We think the idea of folks who are paying for full-service rooms and getting self-service is the wrong move. We have heard the industry make promises that are not where they are trying to go. What is there to fear, then, from this legislation? Again, the legislation which is currently in place codified what was the policy on the ability for guests to have daily room cleaning or not. It did make clear that companies could not incentivize guests to eliminate daily room cleaning. That is something we think we can take care of at the bargaining table. In this situation, on this important issue, we think the Legislature has a responsibility to step up. Hopefully, that answers your question.

Assemblywoman Duran:

I do know that our housekeepers are very hard-working women. They do have a lot of policies and practices they have to follow when cleaning a room. I know we talked a little bit

about the inspections. Can you elaborate more on what a housekeeper does in her station and what they do, because there is some talk about how it is harder for them to get their work done. If you or a guest room attendant can elaborate, if possible, on how that is happening, because I do not think people understand the story of what they have to do when they do not clean a room every day.

Ted Pappageorge:

We heard previous testimony about how we did not know what was happening with the pandemic. That is true. We like to think of S.B. 4 of the 32nd Special Session as our bill, we called it the Adolfo Fernandez bill because it was named after one of our members in one of the hotels who was killed by COVID-19. We lost over 200 of our members to COVID-19. We did not know exactly what was needed. We all did the best we could. Those cleaning requirements were reduced in Senate Bill 386 of the 81st Session, in what we call our right-to-return bill.

At this point, we are in full agreement that the cleaning standards that were COVID-19 specific should be repealed. But we have seen the industry move in a different direction and again, it is not just here in Las Vegas, but we are not the rest of the hospitality industry. This is the entertainment capital of the world. We have a responsibility to make sure that we are the gold standard. The operators who have spoken, the ones we have a relationship with, we have contracts with, and some that we do not, they are experts in their field; there are none better. We think what has happened is an opportunity by companies to look at the profit margins with less labor and less cleaning and then attempt to modify the behavior of the guest. Our guest room attendants will tell you that is just not the case on the floors; folks are not wanting daily room cleaning. The opposite is what they encounter. What we do know is that this move towards more checkout cleaning in the daily cleaning and less stayover makes the hardest job much harder, it makes it much harder to fill, much harder to retain, and much harder to recruit.

As I said before, we are going to take this on in bargaining. It is going to be a very tough negotiation over this. We think these house cleaners are the backbone of the industry. Everybody works hard in these hotels; they are physical jobs. The reality is that these are the most physical and the most difficult to recruit for and the most difficult to retain. In addition to what we are going to have to do at the bargaining table, we think it is very important that the Legislature stands with these working women and takes on these massive corporations on this issue.

Chair Marzola:

Committee members, are there any additional questions? I do not think so. Thank you so much for taking the time to answer all of our questions. We will move to testimony in opposition to Senate Bill 441.

Silvia Buenrostro, Private Citizen, Las Vegas, Nevada:

I have been a union member for 27 years. I cleaned rooms for five years. I have been in the housekeeping industry for 15 years. I worked at Status Board. I have seen every single day

how our housekeeping department, and I have done it myself, does the hard work to keep the services up to our customers' and our guests' standards. With S.B. 441, I am opposed to it because daily cleaning is important every day, not only because of COVID-19 but many other germs and other things that are happening in the rooms. Our industry is one of the best in the country, we are the entertainment capital, we do have to provide the best service for our customers. Yet the customers are very upset when they are paying resort fees and they are not getting resort-type of service.

Daily, I have spoken to friends of mine, and I have spoken to guest room attendants about the dangers that have come up where the customer is very upset. Some people have made comments about how we had the problem with the toilet paper. We had guests coming up to our members, our guest room attendants, being upset and getting beat up because they did not have the service, toilet paper, towels, or anything because they have requested service. This is a bill that puts everyone in danger by not doing the daily room cleaning as it is expected; our guests are coming to get that service, paying the resources, and they are not getting it. COVID-19 is still here. Even though it is not in the large numbers it was at first without vaccines, it is still here. I will ask you all to oppose this bill because we do need to keep our housekeeping department protected and our customers returning to the good service they expect. I oppose this bill.

Susie Martinez, Executive Secretary-Treasurer, Nevada State AFL-CIO:

[Read from [Exhibit D.](#)] On behalf of over 150,000 members and 120 member unions, the Nevada State American Federation of Labor-Congress of Industrial Organizations opposes Senate Bill 441. The provisions in Senate Bill 4 of the 32nd Special Session ensure that our state's economy stayed afloat during the pandemic and protected our hospitality workers as they worked to keep the businesses up and running. Repealing daily room cleaning requirements in hotels would put the profits of hotels and casinos over workers and lead to thousands of Nevada jobs being cut. Since the beginning of the pandemic, hotel executives have been trying to end daily room cleaning, even though it keeps both hospitality workers and guests safe. Without daily room cleanings, there will be mass job eliminations that will lead to housekeepers across the state being overworked to make up for lost labor. Today, the Committee needs to consider whether they want to keep people employed or allow hotel executives to continue to pocket record-breaking profits at the expense of hard-working Nevadans like myself. For many of you who did not know, I worked in the hotel industry for over 33 years.

We must keep daily room cleaning intact and ensure that we protect the workers who kept the hospitality industry and our economy afloat. I did work at one of the properties for over 33 years. It got really tough towards the end. I am going to tell you, every day when I would come into work, I had at least 20 people waiting for me because they were there to complain their rooms were not getting cleaned. They were telling me they were paying a nice price to stay at this property, why was their room not getting cleaned? I always liked my job, and I could never understand why the resort industry would do that. That is our bread and butter. We should take pride. I took pride. I loved my job. How could I stay at a property for so many years if I did not like what I did? I am telling you, towards the end it was torture.

I called my old coworkers because they still speak with me to this day, and they continue telling me the practice is still going on. They are overworked and the rooms are not getting cleaned. With that being said, I strongly urge the Committee to oppose Senate Bill 441.

Marc Ellis, President, Communication Workers of America Local 9413:

I opposed S.B. 441 for this reason: I took a human resources (HR) course. In HR, one of the things we went over is profits; the easiest way to cut profits is to lower the amount of workers you have, wages is the No. 1 way to cut prices. You have these companies talking about record profits, month after month after month, yet we have less and less workers. They go hand in hand. As far as not being able to staff, if you are overworked and underpaid, your peers are going to come and say, Hey, I heard your company is hiring, should I apply? You are going to say no. Fully staff, fully pay these people and then you will see more and more people wanting to work there. How you treat your employees waterfalls, it will keep bringing more and more people in. On that basis, I oppose this bill.

Marlene Lockard, representing Service Employees International Union Local 1107:

We are in opposition to this bill. We feel that repealing daily room cleaning will disproportionately impact low-wage workers, including many immigrant and minority workers who make up a significant portion of the hotel industry workforce. These workers already face significant challenges in terms of job security, fair wages, and workplace protections. Repealing this requirement would further exacerbate their vulnerability and jeopardize their health and safety. We urge your opposition.

Annette Magnus, Executive Director, Battle Born Progress:

We are here today in opposition to S.B. 441. We want to first acknowledge and be very clear that we opposed S.B. 4 of the 32nd Special Session back in 2020 as written, and today we stand in opposition to S.B. 441 and I would like to explain why. To quote directly from my testimony on S.B. 4 of the 32nd Special Session during that special session:

We would fully support this bill if it was only the worker safety piece that supports our brothers and sisters in Culinary. As written, we simply cannot support this bill because the issues of worker safety and liability were combined. This should have been two separate bills, plain and simple. We must give workers' compensation presumptions to people and hold businesses to a higher standard of following safety regulations in addition to the worker protections included in this bill.

That encapsulates why we are opposed to S.B. 441 today. Putting the Mitch McConnell liability language in the bill in the first place was wrong then and it is wrong now. That absolutely needs to be corrected, but we cannot do it at the expense of those very workers who do backbreaking labor every single day and have brought our economy back to life.

A blanket repeal of this law would eliminate the daily room cleaning requirements that help support countless housekeeper jobs across our state. As in 2020, we need to have two

separate conversations and two different bills about addressing immunity from liability that does not come at the expense of working people. Please oppose S.B. 441.

Lilith Baran, representing American Civil Liberties Union of Nevada:

I would like to wish you all a Happy May Day, and I find it interesting that we are talking about a labor bill that on this day, as all of you know, has a historical significance to the international workers of the world. I am going to read a little bit from iww.org, talking about how there has always been a conflict of interest between working people and those who employ them since the beginning. That conflict of interest has been between the interests of the few to gain as much as possible off the labor of the many, and in the interest of the many, the working people, to produce the needs of society for the well-being of all.

I think it is remarkable the way the industries have been able to rebound from the COVID-19 pandemic. All workers have not yet seen that kind of rebound. It takes much longer for someone who is economically disadvantaged to rebound from a financial crisis. We need to take that into consideration when we are looking at bills like this. I know it is easy for industries because they have rebounded in such a wonderful way to say COVID-19 is over. However, when I walked in the building today, we were given free COVID-19 tests, and I got COVID-19 for the first time three weeks ago in this building. I think it is very much alive, and we need to keep in mind this is not over and that some folks are having a harder time recovering than industries as a whole.

Gabriela Esbralastad, Private Citizen, Las Vegas, Nevada:

I have been a guest room attendant and Culinary Workers Union member for 21 years. I am here to oppose S.B. 441 because ending daily room cleaning is bad for everyone. Here are three reasons I want to share. First, when we clean rooms daily, we begin to know our guests, so we know who is behind the doors when we go in for cleaning. We do not know what we are going to find after three or four days, and there are dangers. Second, when rooms are not getting daily service, all the work piles up and becomes more difficult, which means they need more time to clean dirty rooms, more cleaning products, and we are not able to finish our daily quota. We were getting disciplined for this. Third, when we were not cleaning rooms daily, we did not have a good mix of stayovers and checkout.

Checkout rooms require more work during cleaning. When we are not cleaning daily, a deep clean is a lot of work. I think many more guest room attendants in this city, including me, will not be able to complete their daily room assignments. Our bodies are constantly paying for the heavy workload. When I get off of work, I do not have time to spend with my family. I have my grandchildren and I do not have time to enjoy them because I am tired and overworked. I am asking the Nevada Legislature to oppose S.B. 441 to protect workers like me.

Barbara Perez, Private Citizen, Las Vegas, Nevada:

[Speaking through an interpreter.] I am a guest room attendant on the Las Vegas Strip, and I have been a Culinary Union Member for five years. I am here in opposition to S.B. 441. One of my coworkers who was a guest room attendant was attacked last year by a guest

while she was cleaning a room. She pressed the safety button, but security did not come to help her. She was wearing high-compression shapewear under her uniform, and thanks to that piece of clothing, the man was unable to achieve his goal. The man ran away when he realized he could not get any further during the attack. When they entered the room, my coworker was beaten and very upset. They took her to the hospital. Almost a year after the incident, she was not able to return to work due to the trauma and fear that she feels of being attacked again.

Daily room cleaning is a safety issue. Guest room attendants are often working alone in the hallways if there is not daily room cleaning. When there is daily room cleaning, workers know their customers and are able to watch out for each other because there are more guest room attendants on the clock. We, the guest room attendants, ask the Nevada Legislature to stand up for working women and protect us by opposing S.B. 441.

Jenette Acosta, Private Citizen, Las Vegas, Nevada:

Daily room cleaning is very essential to me as someone who is working as a casino guest room attendant. Cleaning rooms daily helps guest room attendants and our coworkers because it does not increase the workload, and we can keep our assignments and areas clean and organized. Daily room cleaning means the trash and linen do not pile up; my work is more manageable. Daily cleaning also allows guest room attendants to know their customers, which is safer for us. Daily room cleaning requirements help guest room attendants and house-cleaning people with the workloads and reduce workplace accidents. Our bodies are paying for the heavy linen and wet towels.

It is important to keep daily room cleaning because it has allowed us to give our guests the service they deserve and pay for, so they want to return to Las Vegas again. As a result, we can keep our jobs and it makes the job more appealing to others who want to work in the hospitality industry. I ask the Nevada Legislature to think about workers when considering this bill and please oppose S.B. 441.

Xochitl Anguiano, Private Citizen, Las Vegas, Nevada:

I have been a guest room attendant and Culinary Union member for 22 years, and I am here to testify in opposition to S.B. 441. I have issues in the daily room cleaning, which is contrary to what the companies say. It is not actually happening every day, so now it is more common for guests who do want their rooms cleaned daily to attack guest room attendants, and a guest attacked me. He opened the door and was angry because his room had not received any service in days. He grabbed some magazines and threw them at me, hitting my body. He also yelled at me and treated me like it was my fault. I am now scared to go to work every day knowing I might be attacked again. Daily room cleaning is a safety issue. Every day we hear stories of other coworkers being attacked, and we fear that one day I will not be just a story of a guest yelling at a worker but a worker losing their life because of an angry customer.

Our jobs are getting more dangerous every day. I have been in this industry for 22 years, and it has changed. We need daily room cleaning to be the law and for it to be enforced so we

are protected. If this bill passes, it will leave guest room attendants without protection, and we will be more exposed to aggression. Guests are paying a lot for their rooms, and it is not fair that they are not getting the service they are paying for. I ask the Nevada Legislature to protect the attendants and oppose S.B. 441 which will end the daily room cleaning requirements.

Rawanda Rogers, Private Citizen, Las Vegas, Nevada:

I have worked in the casino industry for about 10 years. I am here to oppose S.B. 441. Daily room cleaning is a must. Although COVID-19 may no longer be considered a state of emergency, the virus is still very present and continues to be a daily threat to me and my family as we have asthma. When the rooms are not cleaned for two or more consecutive days, the rooms are extremely filthy. The showers will have black mold because there are no fans in the bathrooms and the showers are enclosed in glass, which allows them to accumulate condensation, therefore creating mold. In the mornings, I am on the floors alone and it is very dangerous for me. Just recently, I had a guy try to force himself in the room. It took the security about 30 minutes to arrive. We need to have security on the floors with us and the response time must be improved. We are exposed to dangerous people who are under the influence of cocaine, marijuana, alcohol, and sometimes even more dangerous situations such as guns in the rooms. My station has a Strip view which is the most dangerous for guns. With daily room cleaning, it will provide me the opportunity to get to know my guests and make sure the rooms are safe.

The linen is very heavy from the mountain of wet towels that have been piled up for days. We have a lot of party people in the rooms who trash the rooms, and it is so hard on my body. I have a family I need to care for when I get home, and when I do, I am exhausted and sore. If S.B. 441 is not opposed, many guest room attendants will lose their jobs, which in turn will make our jobs that much harder as we will have heavier workloads, which will make us more vulnerable to more injuries and the previously mentioned dangers.

Russ James, representing Nevada State AFL-CIO; and International Union of Painters and Allied Trades:

I am a long-time member of the International Union of Painters and Allied Trades. We are here in strong opposition to S.B. 441 and urge the Committee also to oppose S.B. 441. Please choose people over profits.

Rita Weisshaar, representing Nevada Alliance for Retired Americans:

I am in strong opposition to S.B. 441 and urge the Committee to oppose it also.

Liz Sorenson, President, Nevada State AFL-CIO:

I am in strong opposition to S.B. 441. I am asking this Committee to choose safety for these workers first and please also oppose S.B. 441.

Renee Ruiz, Legislative Advocate, National Nurses Organizing Committee of Nevada, National Nurses United:

I would like to bring to the attention of folks or place back in folks' memory that while COVID-19 was scary and it is still rapidly going through the community, there are also other deadly and harmful communicable diseases that are still present. We will always be in support of public health first and the health and welfare of workers. Therefore, we are standing in opposition to S.B. 441.

Mike Charlton, representing Henderson Professional Firefighters:

I am in strong opposition of S.B. 441 and urge the Committee to oppose S.B. 441.

Lalo Montoya, Civic Engagement Manager, Make the Road Nevada:

We are in strong opposition to S.B. 441 as it intends to repeal the daily room cleaning regulation. The repealing of these regulations would impact primarily women of color and continue the devastating impact of COVID-19 on our community. We also oppose S.B. 441 because we need to stand with working families. These reduced room cleanings hurt hotel guest room attendants by leaving them with an even more difficult and painful workload. Please, we urge you to oppose S.B. 441.

Bobbette Bond, Vice President, Policy, Culinary Health Fund:

I have listened to this testimony today and I think there is an issue that has not been raised [The call was disconnected. Ms. Bond's testimony in opposition to Senate Bill 441 was submitted but not discussed and will become part of the record, [Exhibit E](#).]

Michael Gittings, President, United Food and Commercial Workers Union Local 711:

Commercial Workers Local 711 represents over 7,000 workers in the state of Nevada. I strongly urge the Committee to oppose S.B. 441. This bill is an example of employers trying to take advantage of essential workers who carried businesses through the pandemic just to make a profit. I also believe this bill is shortsighted and people have come to expect a certain level of service when they come to Las Vegas. Now the city is bouncing back. Why would we want to treat visitors worse than we did pre-pandemic?

Brittany Bowling, representing Bartenders Local 165:

Chair Marzola and Committee members, Bartenders Local 165 strongly opposes this. Please always think of workers' safety.

[\[Exhibit F\]](#) was submitted but not discussed and will become part of the record.]

Chair Marzola:

We will now move to testimony in neutral on Senate Bill 441. [There was none.] [The presenters have waived final remarks.] I will now close the hearing on Senate Bill 441. I will now open for public comment. [There was none.] This concludes our meeting for today. Our next meeting will be Wednesday, May 3, 2023. This meeting is adjourned [at 4:08 p.m.].

RESPECTFULLY SUBMITTED:

Spencer Wines
Committee Secretary

APPROVED BY:

Assemblywoman Elaine Marzola, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a letter dated April 28, 2023, signed by Aviva Gordon, Chair, Legislative Committee, Henderson Chamber of Commerce; and Emily Osterberg, Director, Government Affairs, Henderson Chamber of Commerce in support of Senate Bill 441.

[Exhibit D](#) is a written testimony submitted by Susie Martinez, Executive Secretary-Treasurer, Nevada State AFL-CIO, in opposition to Senate Bill 441.

[Exhibit E](#) is written testimony submitted by Bobbette Bond, Vice President, Policy, Culinary Health Fund, in opposition to Senate Bill 441.

[Exhibit F](#) is a written testimony submitted by Marguerita D. Flowers, Private Citizen, North Las Vegas, Nevada, in opposition to Senate Bill 441.