



New York State  
**HOSPITALITY  
& TOURISM**  
Association

# 2018

# End of Year Progress Report

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## Our Mission:

Lead and protect the New York State hospitality and tourism industry  
by providing ADVOCACY, EDUCATION, and RESOURCES.

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## THANK YOU TO OUR PREFERRED PARTNERS



# 2018 NYSH&TA END OF YEAR REPORT



I would like to thank all members who have provided us the support (financial and otherwise) in 2018. Your support allows us to advocate successfully on behalf of the industry - both regionally and statewide. Our advocacy approach is centered around a bottom-line value for your business.

-Mark Dorr, President

## Legal Hotline

In 2018, more than 10% of NYSH&TA members called the Association's legal hotline. The hotline is operated in conjunction with Jackson Lewis, NYSH&TA's lobby/legal counsel.

## Legislative and Regulatory Advocacy Outlook

Immediately after Election Day, the Governor and the newly empowered Senate Democrats have discussed several upcoming legislative priorities that will impact our industry in a negative way, including:

- Call-in pay and workplace scheduling mandates: while the New York State Department of Labor has passed draft regulations on these subjects, the regulations have not been finalized due in part to opposition from the Senate Republican majority (now out of power). We have already met with Senate Democrats regarding this matter.
- Limits on the use of salary history, criminal background, and credit checks in employment decisions
- Paid sick and safe time leave
- Requirements on companies contracting with freelancers or terminating a group of employees working in a government-owned facility.
- Such New York State laws as those concerning workplace harassment and paid family leave also may be expanded with the executive and legislative branches controlled by Democrats.

Strong membership support will allow us to fight these issues on all fronts.

## 2018 End of Session Report

From combating harmful regulations, to advocating for increased tourism funding, to successfully shepherding through priority legislation, NYSH&TA had an active, successful year.

## NYS Budget

### Matching Grants Funding:

The Final Enacted Budget included \$4,408,000 for Tourism Matching Grants, a \$593,000 increase over the Governor's Executive Budget Proposal. While this increase was slightly smaller than what was contained in the 2017 Budget, NYSH&TA was pleased with the result in a tough fiscal year.



## Legislative Advocacy

### Human Trafficking Legislation – Saved Members Thousands of Dollars in Affixed Signage and Fines

Last year, legislation was introduced in the Assembly and Senate that proposed training requirements for hotel staff members, and posting requirements in various locations throughout hotels, in relation to preventing human trafficking.



While supportive of the Legislature's efforts, NYSH&TA raised a number of concerns that led to substantive amendments that improved the legislation that ultimately passed both houses. Through our efforts, the Legislature provided hotels with the option to design their own "informational cards" containing the national human trafficking hotline number, or use an "informational card" designed by the State or Federal Government. Further, the legislation removed non-compliance fines and staff training requirements, which are now included in a different proposal that we will work to improve next session.

Visit [www.nyshta.org](http://www.nyshta.org) to view complete Human Trafficking information.

(Example of Human Trafficking Information Card)

### Short-Term Rentals (2019 Priority)

NYSH&TA has worked with the Senate and Assembly to advance legislation that would create a statutory framework for short-term rentals statewide (outside of New York City). NYSH&TA's current legislation includes: registration of short-term rentals; minimum safety and insurance requirements, and proper collection of occupancy and sales taxes.

# 2018 NYSH&TA END OF YEAR REPORT

## ***Liquor License Expansion – Hotel Marketplaces (2019 Priority)***

NYSH&TA worked with the State Liquor Authority and the New York State Legislature toward legislation that would allow hotels to obtain a full liquor license even if there is not a restaurant on premises. A number of different proposals were considered throughout the session, and while none of the proposals ultimately passed, we have had many productive discussions on the topic, and are working with the Legislature and Executive staff to solve the liquor license problem for hotels that only have a marketplace.

## ***B&B Liquor Licensing (2019 Priority)***

NYSH&TA is also supportive of legislation that would allow bed and breakfasts to obtain full liquor licenses in New York, which would put bed and breakfasts on even footing with hotels and motels. The bill would also remove the restriction on bed and breakfasts that allows them to sell alcoholic beverages only to people staying at the bed and breakfast. The legislation passed in the Senate for the second consecutive year but was not referred out of the Assembly Economic Development Committee. We will continue to be supportive of this legislation moving forward.

## **Legislative Regional Issues**

### ***DeWitt Occupancy Tax***

NYSH&TA was successful in helping our Central New York partners and members to oppose legislation that would have created an additional, new 2.75% occupancy tax in the Town of DeWitt in Onondaga County. The proposed tax, when combined with the county occupancy tax, would have meant a 7.75% occupancy tax for hoteliers in DeWitt.

### ***Albany County Executive Vetoes Hotel Consumer Practices Law***

NYSH&TA President, Mark Dorr, attended a public hearing called by County Executive, Dan McCoy, regarding pending legislation that would require hotels to provide notice to guests for disruptions in service, including vague “excessive noise” disruptions, bed bug issues, and labor disruptions such as “boycotts” or “picketing.” The law would have forced Albany County hotels found violating the law to refund affected guests, an amount equal to 200% of the cost charged for the night, or nights, affected by the disruption.

On behalf of its 31 members in Albany County, Dorr asked that the County Executive veto the legislation, as it would be excessively burdensome to its members, would present unprecedented liability to ownership, and would be prohibitive to expanding or even maintaining lodging options in Albany County. **The law was vetoed** by County Executive McCoy because it was “overly vague and ambiguous” and could possibly lead to lawsuits if enacted.

## **Regulatory Advocacy**

### ***Call-In Pay***

In the fall of 2017, the New York State Department of Labor proposed regulations that would amend the Miscellaneous Wage Order to alter Call-In Pay requirements. NYSH&TA’s President, Mark Dorr, delivered comments at a public hearing, and worked with Jackson Lewis (legal counsel) to discuss technical changes and provide comments to mitigate the potential damage of this proposal on tourism businesses. No final proposal has been issued.

### ***Tip Wage Credits***

NYSH&TA has been working with a coalition of groups in the hospitality and tourism industry to show that the tip credit is a necessary tool for the industry to continue to build on its successes in New York. To date, the Department of Labor has not released a proposal that would eliminate the tipped wage credit in New York.

### ***Sexual Harassment***

New York State has passed sweeping measures intended to combat sexual harassment in the workplace. The new sexual harassment prevention requirements are applicable to all New York employers. Visit [www.nyshta.org](http://www.nyshta.org) for the full list of materials and guidance.

\*(See back side for the full list of 2018 new members, event details, and education sessions)

## 2018 EVENT & EDUCATION SESSION DETAILS

### 2018 NEW MEMBERS:

(All new members are located in New York State unless otherwise specified)

Alvi Satellites (Fayetteville, GA)  
Avon Inn (Avon)  
AXA Advisors (Syracuse)  
Baumann's Brookside (Greenville)  
Bonnie Castle Farm B&B (Wolcott)  
Buffalo Marriott HARBORCENTER (Buffalo)  
Comfort Inn & Suites (Niagara Falls)  
Courtyard Westbury Long Island (Westbury)  
Cresthill Suites (East Syracuse)  
Deer Watch Inn (East Durham)  
del Lago Resort & Casino (Waterloo)  
Discover Schenectady (Schenectady)  
Doubletree by Hilton Rochester (Rochester)  
Ellwanger Estate B&B (Rochester)  
Fairfield Inn by Marriott Albany University Area (Albany)  
Fantasy Island (Grand Island)  
Gavin's Irish Country Inn (Cornwallville)  
Gecko Hospitality (Huntington Beach, CA)  
Granger Construction Company, Inc. (East Syracuse)  
Greenville Arms 1889 Inn (Greenville)  
Hampton Inn & Suites Albany-East Greenbush (East Greenbush)  
Hampton Inn Binghamton-Johnson City (Johnson City)  
Hilton Garden Inn Corning (Corning)  
Home2 Suites/Tru by Hilton Williamsville Buffalo Area (Williamsville)  
Homewood Suites by Hilton Saratoga Springs (Saratoga Springs)  
Homewood Suites/Tru by Hilton Crossgates Mall (Albany)  
Hotel Henry Urban Resort Conference Center (Buffalo)  
Inn at Green River (Hillsdale)  
Inn at Silver Maple Farm (East Chatham)  
Journey Inn Bed & Breakfast (Hyde Park)  
Lake Crest Inn (Lake George)  
Maplehurst B&B (Lockport)  
Mariaville Lake B&B (Mariaville)  
Marriott Syracuse Downtown (Syracuse)  
NY Carousel Entertainment (Brooklyn)  
Oden Development (Glen Head)  
Pine Ridge Dude Ranch (Kerhonkson)  
Point Au Roche Lodge (Plattsburgh)  
Radisson Hotel Corning (Corning)  
River Edge Mansion B&B (Pennellville)  
Rosewood Inn (Corning)  
Saranac Lake Inn (Saranac Lake)  
Saratoga Human Resources Solutions, Inc. (Saratoga Springs)  
Sassafras B&B (Lancaster)  
Solvacom (Albany)  
Standard Amusements (Rye)  
Stonegate B&B (Highland)  
Sunrise Landing B&B (Dundee)  
The Arbor Inn of Clinton (Clinton)  
The Inn at Fox Hollow (Woodbury)  
The Pearl of Seneca Lake B&B (Dundee)  
The Preston House and Hotel (Riverhead)  
The Saratoga Hilton (Saratoga Springs)  
Titan Energy NE (Augusta)  
Tru by Hilton Syracuse North Airport Area (Liverpool)  
USI Insurance Services (Saratoga Springs)  
Westchester Marriott Hotel (Westchester)  
Woodstock Way Hotel (Woodstock)  
WorkAlertz (Rochester)  
Wyndham Garden at Niagara Falls (Niagara Falls)  
Wyndham Garden Buffalo Downtown (Buffalo)

### 2018 EDUCATION SESSION TOPICS

- 4/17** How to Effectively Engage Millennials  
**5/14** Revenue Management  
**5/22** Workplace Harassment  
**9/20** Accepting & Rejecting Guests: The Legal Way  
**10/22** • Workplace Harassment  
• Artificial Intelligence  
• Legislative Regulatory Panel  
• Hiring & Retaining Great Employees  
**12/14** Social Media Marketing and Communications

### 2018 Annual Conference & Stars of the Industry Awards Gala

Thank you to all who attended NYSH&TA's Annual Conference & Stars of the Industry Awards Gala on October 22, 2018 at Turning Stone Resort Casino. Reintroducing the Annual Conference after a few years off was highly requested, and with over 200 attendees, it was a huge success. The event featured a trade show, lunch presentation by hotel expert Anthony Melchiorri, education sessions, and a cocktail hour & gala at night!

Visit [www.nyshta.org](http://www.nyshta.org) to view event photos, details, and stay tuned for future event information.