

# ADVOCACY PRIORITIES

## Stop Drive-by Lawsuits

### *Establishing a “notice and cure” period within the State ADA law*

Senate Bill 1406 reforms the State’s Americans with Disabilities Act, which covers private businesses open to the public, by specifying clear, unambiguous rules for identifying and correcting ADA access violations before allowing litigation or a drawn-out settlement process.

If a business fails to correct an identified violation following a notice and a defined period of time, then the right for seeking legal recourse still applies under the ADA.

- Unfortunately, underhanded attorneys seeking personal financial gain are exploiting small business owners with no resulting benefits for the disability community.
- Nearly 1,700 cases hit Arizona’s hospitality industry – small businesses caught in the cross fire and being sued or threatened by lawsuits, the majority of claims were unfounded.
- The AzLTA applauds the passage of SB1406 which provides commonsense legislation designed to ensure that businesses comply with the ADA and provide ADA mandated access while removing incentives for ADA lawsuit abuse.

## Define Employment Relationships

### *Separating a franchisor from an employer or co-employer*

With 61 percent of hotels considered small businesses, the hotel industry has thrived by fostering opportunities for small business owners to open their own hotels thanks to the franchise model. This ability has allowed countless entrepreneurs to achieve the American Dream. In August 2015, the National Labor Relations Board (NLRB) issued its decision in the Browning-Ferris Industries of California (BFI) case and created a new “joint employer” standard under federal labor law.

- For more than three decades, the traditional joint employer standard has been one of the cornerstones of labor law, protecting small businesses from undue liability involving employees over which they do not have actual or direct control.
- The new standard makes employers potentially liable for actions and activities of employees that they do not employ and it could jeopardize business to business contractual relationships.
- The passage of House Bill 2322 which clearly defines the relationship of a franchisor and embraces this historic pathway to small business success.

## Promote Arizona

### *Maintaining important funding for the promotion of Arizona as a travel destination*

When determining where to travel, visitors first think of a destination. Competition is fierce between the sunshine states and we must ensure Arizona maintains a competitive edge.

- Arizona tourism can lead the charge in employment and economic growth.
- We are the only industry with a positive economic impact in all 15 Arizona counties.
- The industry provides a career path with more than 300,000 hospitality related jobs.
- It’s the number one service export industry in Arizona.
- More than 43 million visitors; \$21 billion in direct spending annually.
- Celebrating a three-year run of Mega Events (Super Bowl, College Football Championship & NCAA Final Four).

## Ensure a Level and Legal Operating Environment

As one of the highest taxed and regulated industries, the AzLTA advocates to preserve and protect the business operating environment for Arizona’s hotels and resorts, travel, tourism, professional sports, CVBs and the local businesses that support the industry.

- This is an industry which embraces innovation and competition.
- We look forward to the upcoming study committee examining the impact of online short-term rentals.
- The industry is a steward for health and safety laws critical to protecting visitors and guests.
- We partner to maintain the vigor and vibrancy of this top economic engine for Arizona.