

Adult entertainment ordinance

The issue:

Multiple studies and investigations have found examples of unsafe, unsanitary and exploitative conditions in Minneapolis adult entertainment businesses, and have identified problems faced by entertainers.

Guiding principles:

Entertainers in Minneapolis are engaged in legal work, and deserve workplaces that protect their safety and dignity, and allow them to make a living without exploitation, discrimination or abuse. We have crafted these ordinance proposals in cooperation with entertainers.

Proposed licensing standards:

PROTECTIONS FOR ENTERTAINERS

- Managers and owners may not accept tips from entertainers or employees
- Entertainers are to be provided security escort to transportation after their shift
- No managers and security staff may have been convicted of domestic assault within past 5 years
- Written contracts must be provided to all entertainers at time of hire and upon request
- Anti-harassment and anti-discrimination procedures and training materials must be provided at time of hire, upon request, and upon any change to policies and procedures
- Venues must post rights of employees

GENERAL SECURITY

- Venues must post rules of conduct for customers
- Security cameras must cover all areas where entertainers interact with customers
 - Footage must be made available to licensing official upon request
 - Footage must be erased after 90 days

PHYSICAL SPACE

- Maintain in good repair including elimination of tripping and other safety hazards
- Minimum number of restrooms and fixtures in dressing rooms as outlined by OSHA standards
- Minimal illumination standards
- Partitions in VIP spaces cannot be higher than 5 feet, opening to space must be unobstructed and meet ADA requirements and contain no beds or couches longer than 4 feet
- Seating must be of nonporous and easily cleanable material
- Standard clean up procedures must be developed
- Spills must be cleaned immediately by non-entertainer staff using an approved cleaner
- Log of spills and cleaning must be maintained

Background

Minneapolis Health Department found 11 confirmed and 3 suspected semen stains out of 17 adult entertainment establishments in 2017. The study found a strong correlation between stains and VIP/semi-private spaces. Health sent abatement orders to all businesses with confirmed and suspected stains for cleaning and prevention of stains in the future, and presented findings to Health Energy and Community Engagement Committee (HECE) of City Council. Dr. Lauren Martin of the University of Minnesota Urban Research and Outreach-Engagement Center (UROC) presented findings to HECE from her study, Workplace Perspectives on Erotic Dancing. Dr. Martin's report brought to light multiple concerns regarding working conditions in Minneapolis adult entertainment businesses. These concerns included:

- Occupational safety issues such as physical injuries, exposure to body fluids, and physical and sexual assault;
- Wage theft in the form of fees and mandatory tipping of salaried staff such as managers and security;
- Unclear customer expectations that results in pressure for sexual activity performed by entertainers; and
- A culture where harassment and assault is normalized.

In November of 2017, Health conducted sampling at the 14 adult entertainment businesses where stains were previously confirmed or suspected. Stains were confirmed in 9 businesses.

Work to craft this ordinance has included:

- Best practice research on comparable cities.
- Individual meetings with representatives of all but one of the businesses with adult entertainment licenses to receive feedback on policy options. One business did not respond to repeated attempts to set up a meeting.
- Direct outreach to entertainers for feedback on policy options by two different organizations:
 - Dr. Eric Sprankle of Minnesota State University at Mankato and members of the Sex Workers Outreach Project (SWOP)
 - Dr. Lauren Martin and her team from UROC
- Refining policy options based on stakeholder engagement

Next steps:

- Seeking feedback from entertainers
- Seeking feedback from adult entertainment businesses managers and owners
- Presenting to Minneapolis Workplace Advisory Committee
- Public hearing before the Public Health, Environment, Civil Rights and Engagement (PECE) committee