



City of Chicago



O2014-9491

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 11/19/2014

Sponsor(s): Burnett (27)
Solis (25)

Type: Ordinance

Title: Amendment of Municipal Code Chapter 10-36 concerning high-quality, uninterrupted concession and transportation services at Chicago's O'Hare and Midway Airports

Committee(s) Assignment: Committee on Aviation

ORDINANCE

WHEREAS, the City of Chicago's Airports provide vital services to the traveling public, to the air carriers operating at the Airports and to the economy of the City of Chicago; and

WHEREAS, the successful operation of the Airports requires the ongoing provision of a wide variety of services, including extensive food and beverage services; and

WHEREAS, the efficient and uninterrupted operation of Airport services may be disrupted by labor disputes in the food and beverage concession operations, and

WHEREAS, it is the desired objective of the City of Chicago to reduce and/or eliminate labor-related disruptions at the Airports and to enhance the uninterrupted provision of Airport services.

NOW THEREFORE, Chapter 10-36 of the Municipal Code of the City of Chicago is hereby amended by adding new sections 10-36-___ through 10-36-___ as follows:

10-36- Purpose.

It is the purpose of this section and the policy of the City of Chicago to ensure that the residents of the City, as well as the traveling public utilizing the City Airports, receive high quality and uninterrupted concession and transportation services at the Airports, with due regard for the operations of the air carriers operating at the Airports.

Wherever used in sections 10-36-___ through 10-36-___ the following words and phrases shall have the following meanings:

“Airports” means O’Hare International Airport and Midway International Airport.

“Contract” means any contract, lease or license to operate food and/or beverage services, news and gifts stores, or duty-free stores at an Airport, pursuant to which the Airport is entitled to receive as rents, royalties, payments in connection with financing provided by or through the Airport, or other income, a percentage of the revenues of the food and/or beverage enterprise, or any subcontract, sublease, management agreement or other transfer or assignment of any right, title or interest received from the Airport pursuant to any of the foregoing contracts, leases or licenses.

“Contractor”, means any Entity which is party to a food and/or beverage, news and gifts, or duty-free concession Contract at the Airport(s), entered into with the Airport after the effective date of this Ordinance.

“Entity” means and includes a sole proprietorship, partnership, corporation, joint venture, franchise or business organization of any kind.

“Labor Peace Agreement” means a written agreement between a Contractor and a labor organization(s) seeking to represent the Contractor’s employees to which 29 U.S.C. Section 185(a) applies, as that provision has been interpreted by the United States Supreme Court, and which contains a provision prohibiting the labor organization and its members, from engaging in any picketing, work stoppages, boycotts, or any other economic interference with the operations of the Contractor, or any person or Entity under contract with the Contractor, for the duration of the Contractor’s Contract or Contracts with the Airport.

“Small Business” means an Entity that employs less than 500 people in aggregate at all of its global operations and less than 50 people under all Airport Contracts of the Entity and its subsidiaries and affiliates.

10-36-___ A Contractor must as a condition to its Contract either (1) be party to collective bargaining agreements with respect to employees who will staff their operations, which labor contracts prohibit the union and its members (and all employees covered by such agreements) from engaging in strikes, picketing, work stoppages, boycotts or other economic interference with the business of such Contractor, for the duration of their Contracts; or (2) must enter into and comply with a “Labor Peace Agreement”. The Department of Aviation may exempt a Small Business.

10-36-___ If any provision or application of the Ordinance is declared illegal, invalid or inoperative, in whole or in part, by any court of competent jurisdiction, the remaining provisions and applications not declared illegal, invalid or inoperative shall remain in full force and effect, and no such determination shall invalidate the remaining provisions of this Ordinance.

10-36-___ This Ordinance shall take effect on _____, 2014.

Walter Durrell Jr 27th

Daniel Solis 25th