



April 1, 2014

Sent Via E-mail and U.S. Mail

Marvin Jones, President
UNITE HERE! Local 878
P.O. Box 100564
Anchorage, AK 99510

Re: Your March 28, 2014 Letter

Dear Mr. Jones,

This letter is in response to your March 28th letter that was hand delivered to me on that date by UNITE HERE Local 878 representative Daniel Esparza.

Let me begin by saying the Hilton Anchorage and I take employee concerns regarding health and safety extremely seriously. The Company and I are committed to ensuring that our employees work in a safe and healthy work environment.

Your March 28th letter is the first notice we have received about possible employee health complaints regarding mold. No employees have complained to the Company about unhealthy exposure to mold.

Your March 28th letter and attached documents indicate the Union has been looking into whether there is a mold problem at the Hotel since at least February 15, 2014. Apparently, the Union did not obtain information indicating the situation to be of an emergency nature. We presume the Union would not have waited a month and a half before bringing employee concerns about possible mold issues to the attention of the Company if there was a clear and obvious problem. Now that you have alerted the Company to employee concerns about possible mold exposure, the Company will promptly and thoroughly look into the matter to determine whether there is a mold issue adversely impacting employees.

Information Request to Union re Mold Exposure

As part of the Company's investigation into whether or not there is a mold problem impacting employees, the Company requests the Union provide the Company with the following documents:

1. Any and all documents in the Union's possession or control in relation to mold in the Hilton Anchorage, including but not limited to reports, correspondence, memoranda, notes, test results, photographs or other recordings by the Union or by Hotel employees, including but not limited to documents sent to or from security employees, environmental control

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employees, maintenance workers, housekeeping workers, consultants, guests or contractors.

2. Any and all documents, reports, studies or other evidence regarding mold at the Hotel, and the safety of meeting areas, restaurants and other working areas within the Hilton Anchorage.
3. Please produce any consultants' reports that are ongoing and identify when copies of those reports will be available.
4. Please provide any information that is currently available with regards to the types of mold that have been found at the Hilton Anchorage property and any information regarding the potential health concerns of the strains of mold that have been identified.
5. If any specimens or samples of mold are within the Union's possession or control, including in the possession or control of any of the Union's agents, attorneys or consultants, please identify the location of each specimen and please do not destroy or denature any specimen until the Company has had reasonable time, not less than two weeks from the time the Company is notified of the existence of such specimens, to have the specimen inspected by the Company's expert, and please contact the undersigned to make arrangements for such inspection.
6. Please identify in writing when and where mold was first discovered in the Hilton Anchorage.
7. Please provide the Company with a written timeline that includes the date and location of all mold sightings and dates and details of all Union representatives and Hilton Anchorage employees involved in assessing the existence and scope of mold in the workplace at the Hilton Anchorage.
8. Please provide the Company with the names of all Hilton Anchorage employees that have had exposure to mold in the Hilton Anchorage.
9. In cases of employees who specifically reported incidents of contact with mold to the Union, please provide the name of the employee, the date and time of exposure and a description of their exposure.

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10. Please identify all employees who have reported adverse health impact due to mold exposure and identify the claimed health impact and whether the employee missed any work due to the alleged mold exposure.
11. Please identify any employees who took sick leave or who have filed a workers compensation claim regarding any alleged mold problem at the Hilton Anchorage.
12. Please provide any other information you believe the Company should be aware of to adequately investigate whether there is a mold issue at the Hilton Anchorage that adversely impacts employee health.

Response to Union's Request for OSHA Records

All OSHA records and forms that you have requested were previously furnished to the Union on March 17, 2014. Your March 28, 2014 letter referenced a "malfunction of the electronic version" of the OSHA 300 log. We are unaware of any "malfunction." However, another copy of the OSHA 300 log for 2014 through the present is attached.

Information Request to Union re Sampling

Records that were attached to your March 28th letter indicate environmental samples were collected at the Hotel by Local 878 Union representative Noah Sunflower. This information comes to the Hotel as a surprise. To the best of my knowledge, neither the Union nor Mr. Sunflower ever contacted the Hotel to request authorization to conduct environmental sampling at the Hotel. In connection with the environmental sampling conducted by the Union, including sampling by Union representative Sunflower, please provide the following information:

1. The dates, times and locations for all environmental sampling conducted at the Hilton Anchorage by the Union, including but not limited to sampling by Union representative Noah Sunflower.
2. Copies of all documents furnished to the Union, including but not limited to documents furnished to Union representative Noah Sunflower regarding any claim of mold at the Hilton Anchorage.
3. Copies of any and all notes, memos or other records prepared by Union representative Noah Sunflower or any other representative of the Union

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regarding all environmental sampling conducted by the Union at the Hilton Anchorage.

4. Please identify all training and experience Union representative Noah Sunflower had in connection with conducting environmental sampling prior to the time Union representative Sunflower conducted any environmental sampling at the Hilton Anchorage.
5. Please provide a detailed description of how Union representative Noah Sunflower conducted environmental sampling at the Hilton Anchorage.
6. Please produce copies of all correspondence, notes and any other communications between UNITE HERE Local 878 and any environmental consulting firm, including all communications that led to the March 6, 2014 letter to Local 878 from White Environmental Consultants, Inc.
7. You attached to your March 28th letter three pages of "Analysis Report Direct Microscopic Exam" performed by Northeast Laboratory Services for samples allegedly taken from Hilton Anchorage. Please identify whether there were any other analyses conducted by Northeast Laboratory Services or any other testing firm other than the three pages that you attached to your March 28th letter. If there were such additional analyses, please provide copies of them to us.
8. You provided a chain of custody record from White Environmental Consultants, Inc. with your March 28th letter. That chain of custody record was only partially legible. Would you kindly furnish us with a more legible copy. Additionally, please provide all chain of custody records regarding all sampling conducted by or on behalf of the Union at the Hilton Anchorage.

Measures Taken by Hotel to Effectively Deal with Mold Issues

Unfortunately, according to the American Hotel and Lodging Association, occasional mold is a potential issue for all hotels and commercial buildings. Hilton Anchorage is vigilant regarding potential mold and takes numerous effective measures to deal with potential mold issues.

One potential cause of mold can be through toilets. Toilet wax rings can start to leak after a period of time. One of the first indications for toilet wax ring leaks is the darkening of the white caulk by the base of the toilet and the adjoining wall to the toilet. Hilton Anchorage

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is currently treating two rooms, Room 416 and Room 716, to ensure mold problems do not develop to the toilet wax rings in those rooms. Room 700 is currently out of service for maintenance for a heating pipe leak.

Room 700 has been out of service since January 8, 2014. The Hotel is presently waiting for warmer weather, hopefully around the end of April, to repair the heating pipe leak. To control possible mold in Room 700, the sheetrock has been cut open around the faulty heating pipe.

When possible mold in a room is suspected, the Hotel takes a variety of measures to deal with the situation. First, the room is taken out of service. If necessary, the toilet will be removed, the area will be dried and the wax ring in the toilet will be replaced. The Hotel evaluates the wax ring on the same chase room and replaces the wax ring in that room if necessary. The Hotel evaluates the condition of the sheetrock to see if it is wet. The Hotel's chief engineer Donald Case makes an assessment as to what, if any, additional action may be necessary besides replacing the wax ring, including possible removal of all or part of the wallpaper, possible bleaching of the sheetrock, and possible removal of all or part of the sheetrock in the entire bathroom. Toilet wax rings are changed by bargaining unit employees Norberto Rosario and Braden Hill. Removal of wallpaper or sheetrock is performed by a contractor, Augustin Vargas.

If any moldy sheetrock is encountered, it is promptly disposed of. Suspected air conditioning filters are also promptly disposed of. As noted below, the HVAC system in the Hotel is regularly maintained and repaired as needed as part of the Hotel's efforts to ensure healthy air quality.

Union Information Request re Hotel's HVAC Equipment

Your March 28th letter requested certain information regarding the Hotel's HVAC equipment. The Hotel's HVAC equipment is regularly maintained to ensure healthy air quality. Maintenance and repair records for the Hotel's HVAC system for the period January 2012 through March 27, 2014 are attached. If the Union wishes to obtain the make and model numbers of HVAC equipment at the Hotel, please contact me and we can make arrangements for a Union representative to look at the equipment and copy any information from the equipment regarding make and model numbers that the Union may need.

Conclusion

Once we have had an opportunity to evaluate the information you will be furnishing to us in connection with our above requests and once we have had an opportunity to

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conduct our own investigation of this matter, I will notify you in writing of the results of our investigation. In the meantime, please consider the Company's information request to be an ongoing one. Please promptly furnish to me copies of any and all additional records generated after receipt of this letter by the Union or received by the Union relevant to the Union's claim of a possible mold issue at the Hilton Anchorage so the Company can promptly evaluate and take appropriate remedial measures regarding this matter.

Thank you.

Very truly yours,

Bill Tokman,
General Manager

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