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# A Model for Measuring Fair Labour Justice in Hotels: Design for the Spanish Case

Josefa García Mestanza 1,\*, Alfonso Cerezo Medina 20 and Marco Antonio Cruz Morato 10

- Department of Economics and Business Administration, Campus El Ejido s/n, University of Málaga, 29071 Málaga, Spain
- <sup>2</sup> Faculty of Tourism, León Tolstoi, 4, Univeristy of Málaga, 29071 Málaga, Spain
- \* Correspondence: jgm@uma.es

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Abstract: There is a growing awareness of Corporate Social Responsibility (CSR) and sustainability as a global movement. The hospitality sector is one of the major industries driving socioeconomic development worldwide (especially in economies such as Spain) and it has responded to this need, in the context of a general worsening of labor conditions in this sector. Evidence of this response is the Fair Hotels Project, which is an international collaborative effort aimed at building new partnerships between fair trade movements and trade unions in order to have a positive effect on the labour market in the hotel sector. This article describes the design of Hoteles Justos Laboralmente Responsables (HJLR), a fair labour justice and socially responsible model for hotels oriented to contribute to sustainability and labour justice within the Spanish hotel sector. The HJLR model was created to meet corporate, labour and local development needs. It includes accurate and objective measures—and homogeneous and comparable indicators—to assess the level of fairness and quality of labour practices of hotels. This model would be of great utility in improving the sustainability and quality of life of people working in this economic sector and could be also used by companies to improve their competitive position. The Spanish Government has shown its support for this project as a part of its 2030 sustainable tourism strategy, aimed to get the United Nation Sustainable Development Goals. Furthermore, this is a relevant line for future research, once the implementation phase is completed and quantitative data is available to measure the situation in depth.

**Keywords:** best practice for sustainable hotels; ethical human resource management in the hospitality sector; corporate social responsibility

# 1. Introduction

In recent decades, tourism has become one of the economic sectors with the highest global growth rates [1]. Spain is among the most well-established and popular tourist destinations. According to the UNWTO ranking, in 2017 it became the second largest tourist destination in the world, with 81.8 million international visitors [1]. In 2018, tourism accounted for 11.7% of Spanish GDP and created more than 2.6 million jobs (i.e., 12.8% of total employment) [2]. The hotel sector reported more than 340.2 million overnight stays in 2018. This figure is significant [3] and requires a sustainable perspective for its maintenance in the future [4,5]. The 2008–2015 economic crisis had a profound effect on employment in this sector. Working conditions became more precarious with increases in job insecurity, rates of temporary and part-time contracts and workloads, as well as decreases in the amount of time allotted to tasks. It became increasingly difficult to access continuous education programs and plans. Wages and qualification levels fell in comparison to other sectors, services became increasingly outsourced, contracts became more diversified, and there was an increase in the number of unqualified workers taking over hotel jobs.

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In addition to the global economic crisis, the Spanish labour market reforms of 2010 and 2012 had a strong adverse effect on working conditions. This change particularly affected employees, such as chamber maids, who work in outsourced activities (this precarious situation became a matter of public debate when it was put in the media spotlight thanks to trade unions and authors such as Cañada [6], who reported the experiences of 26 chambermaids.).

Low-quality jobs have been repeatedly reported as a feature of the tourism industry [7], and a number of structural challenges (such as demand fluctuations, or the predominance of small companies, among others) have to be overcome to improve them. Thus, "Improving the image of the tourism sector as an employer has to come about by addressing some of the areas in which the sector still has significant opportunities to move forward" [8] (p. 47).

One such opportunity is the project known as Hoteles Justos Laboralmente Responsables (HJLR). This project is founded on the Global Code of Ethics of the World Tourism Organization (UNWTO). This code outlines 10 fundamental principles for creating a responsible and sustainable tourism industry, and involves professionals from the sector to achieve its objectives [9]. The HJLR project aligns with Goodwin's statement "sustainability is the goal, responsibility is the means" [10] (p. 1). To do that, it promotes fair labour conditions by encouraging cooperation between all social stakeholders and the adoption of CRS implementing the model proposed. This project offers Spanish hotels an opportunity to differentiate themselves from traditional competitors by creating value in an innovative manner. A model based on Corporate Social Responsibility (CSR) would enable the Spanish hotel sector to gain sustainable competitive advantages over other Mediterranean destinations, such as Turkey, Egypt or Croatia, all of which are currently undergoing increased growth [11].

The aim of the HJLR project is to address global concerns about CSR and sustainability in tourism by creating a model which provides information that hotels can use to apply fair labour practices. Within the HJLR project, we designed and describe a set of fair labour (FL) indicators that could help hotels minimize negative externalities and maximize their positive effects on society. It is necessary to highlight that there is a lack of academic research on the design of measurement scales for labour issues adapted to the Spanish hotel sector. Furthermore, projects of this type could help companies make CSR part of their "DNA" such that this approach becomes fully integrated in senior management policy. Promoting, thus, sustainability and labor justice in this sector, and also companies to improve their competitive position.

Although it is difficult to analyse the relationship between CSR and company performance, and also that the credibility of the results needs to be improved [12], an increasing number of studies have shown that CSR is a useful construct by which to identify new segments of clients committed to social development in tourism. CSR represents an opportunity for hotels to differentiate themselves from other competitors thanks to its impact on improving the image of the hotel, client loyalty, and trust [13–16]. Recently, other authors have reached similar conclusions, suggesting that CSR practices improve the competitive position of companies [17–21]. Shin, Hur and Kang [22] investigated whether employees' perceptions of CSR had a positive affect on their performance.

In summary, there is global demand and concern in favour of sustainable development and CSR. This growing awareness encourages responsible and respectful behaviour in terms of economic, social and environmental sustainability.

Government policies could take the shape of fees, bonuses or subsidies that would act as leverage to restrict or encourage certain activities or behaviour. Other ways in which governments could influence corporate activity include the regulation of labour relations or workplace health and safety. In Spain, one of the main instruments to promote social responsibility is Law 2/2011 (Article 39) [23] on Sustainable Economy, which establishes that government institutions will promote CSR.

Regardless of mandatory policies, companies can adopt reactive, defensive, accommodative, proactive, or contributory attitudes toward CSR (e.g., [24–26]). Since the 1980s, hotel companies have progressively adopted socially and environmentally responsible management styles. Reactive and proactive approaches are both complementary and crucial to avoid unwanted behaviour and to

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generate trust and cooperation. Companies tend to apply CSR principles providing they are perceived as an investment or business opportunity rather than as an expense.

In this setting, "fair labour" is a valuable concept because society has begun to demand from hotels increasingly socially responsible behaviour that takes into account the interests of all stakeholders (Šlaus and Jacobs [27] suggested that the crucial determining factor for long-term sustainability is to develop human capital, and that the best approach to ensure a sustainable future is to strive to accelerate the evolution of human consciousness and the arising of individuals who are aware of themselves). This aspect highlights the need for a CSR assessment model that can allow organizations and their stakeholders to identify areas in need of improvement, to create long-term value and to generate sustainable competitive advantages in the sectors in which they operate.

Thus, the objective of this article is based on the description of the design process of the fair labour (FL) indicators model previously mentioned. Relating to the structure of the article, the Background section addresses the relevance of sustainability and CSR in the hotel sector (being different concepts, but related and complementary), and provides a review of previous HJLR projects and other indicators of labour practices and working ethics (work as an ethical value). Based on these aspects, we specify a conceptual delimitation of the term "fair labour hotel" that it is used in the article. The Methodology section describes the methods applied, data acquisition and related issues in order to describe in a complete manner the process carried out. The Results section presents the outcomes obtained, after having developed the described methodology, in terms of the characteristics of the designed model of FL indicators. The final section discusses the results and their interpretation and offers some perspectives on future lines of research.

## 2. Background

We have divided this section into three subsections that address the following aspects: firstly, the relevance of sustainability and CSR in the current Spanish hotel sector; secondly, previous international initiatives regarding fair hotels and indicators of labour practices and working ethics; and thirdly, the conceptual delimitation of the term "fair labour hotel" that will be used in the development of the HJLR model.

# 2.1. Sustainable Development, Sustainability and CSR

In the first place it is necessary to distinguish between sustainable development and sustainability. Following the definition given by Jeronen [28] in the Encyclopedia of CRS, sustainability refers to a long-term goal while sustainable development refers to the processes and pathways to achieve it. In the last decade sustainability has become a crucial issue for many governments, institutions and companies, that have aligned their strategies with the sustainability goals. The concept of sustainable development has been gaining strength in recent years and so we can find multiple definitions, becoming one of the main objectives of some sectors of the economy since the publication of Brundtland Report by the World Commission on Environment and Development in 1987 [29], which provided the original definition "development that meets the needs of the present without compromising the ability of future generations to their own needs" [30] (p. 43).

According to Butler [31] the topic of sustainable tourism emerged in the late 1980s. He pointed out the sizeable body of literature on this subject, which had grown rapidly, to the point that there are journals devote to this field. Some authors speak of sustainable tourism as "do what is done now, that does not harm future generations" [32] (p. 5), while others, such as Inskeep [33] and Swarbrooke [34], draw the attention to the need of finding a balance between resources for tourism and the pillars of sustainability (economic, environmental and social). Scholars in the field of tourism have researched different issues of sustainable tourism in relation to governance, management, competitiveness of tourism destinations, tourist behavior and motivations of demand [35].

Since the 1990s, international institutions such as the OECD, the United Nations, the European Commission, and certain EU governments have attempted to raise company awareness concerning

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sustainable development and CSR. These institutions have encouraged practices that promote job creation, social welfare, and sustainable development. These practices are built on the socio-environmental foundations needed to maintain the new globalized economy.

Since 1997, the Global Reporting Initiative (GRI [36]), an independent international organization, has created standards, provided guidelines on promoting and empowering sustainable development, and improved the quality of reports based on its recommendations. Thus, it has promoted the effective use of information on sustainability in order to improve performance.

The GRI standards represent the best global practices for sustainability reporting, and constitute a reliable reference for policymakers worldwide. According to the GRI, working conditions are a subcategory within the area of action of any socially responsible company. The 400 series of the GRI standards includes topic-specific standards used to report information on the social impact of an organization in relation to employment, labour relations, health and safety at work, training and education, and diversity and equal opportunities.

The ISO (International Organization for Standardization) 26000 standard [37] is an international guideline on social responsibility, which lists labour practices among its seven fundamental areas.

The European Commission Green Paper on Social Responsibility [38] views CSR as a voluntary option for business, and introduces the idea of dialogue between stakeholders. In 2011, during an economic crisis, a report published by the EU Commission defined CSR as "the responsibility of enterprises for their impact on society" [39] (p. 6). The EU Commission considers social responsibility to be the contribution companies should make to sustainable development in relation an external dimension and an internal one: the external encompasses the relationship between the companies and their suppliers, business partners and the community; and the internal dimension involves responsible social practices in relation to the management of human resources, health and safety in the workplace, and the prevention of occupational risk.

Thus, it should be clear that there is a general international consensus that labour relations and employment are among the fundamental issues of CSR. The HJLR project has addressed the internal dimensions of CSR and, therefore, the FL indicators cover worker-employer relationships, employment, health and safety in the workplace, training and education, diversity, wages and equal opportunities.

These dimensions of CSR and sustainability are particularly relevant to the tourism industry, in which human resources are key to providing services. In fact, in the UN 2030 Agenda for Sustainable Development, tourism occupies a prominent position as a driving force for job creation and as a way to promote economic and cultural development. The UN General Assembly (UNGA) recognizes the potential of sustainable tourism to advance economic, social, environmental and cultural sustainable development; tourism is mentioned in the Sustainable Development Goals (SDG) of the UNGA 8, 12, 14 [40], while the United Nations Environment Program views it as one of the sectors that could lead the transition to a green economy. Thus, CSR could represent a major strategy in the advance toward sustainability [41,42].

Despite the relevance of CSR in the tourism industry [43], there are few studies on this topic and even fewer on its role in the hotel sector [44]. This situation is due to the fact that CSR is both complex and difficult to implement. Most research on CSR has addressed its relationship to financial performance [45]. The HJLR project provides hotels with a practical tool that has a special focus on human capital, which is a key factor in competitiveness in the tourism industry [46–51].

The implementation of CSR criteria by companies is being driven by increasing social pressure from different institutions, governments, unions, tour operators, and consumer associations. Social pressure has forced the hotel sector to develop new systems and procedures that take into account the needs of stakeholders and that are able to meet the expectations of tourists and companies regarding social, economic, and environmental sustainability. It is well known that some tourism activities lead to social, cultural, and environmental challenges that could undermine the fundamental principles of sustainable development. This aspect is particularly true of a country like Spain, where tourism is

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one of the main drivers of the economy. Pérez-Aranda [52] suggested that CSR is being adopted as a strategic factor by which to face the ethical challenges associated with every dimension of sustainability.

At the international level, CSR programs have been implemented by large hotel chains such as Accor, Intercontinental, and Marriot for several years. At the national level, the progress made in the Spanish hotel sector has mainly been due to some large tour operators making increasing demands for socially responsible practices, which in some cases have become an essential requirement for contracting the hotel service by the tour operators.

Table 1 shows the main variables used to assess CSR implementation by the main Spanish hotel chains operating all over the world. Four of the five main hotel chains publish annual reports, and of these chains the most consistent are Meliá and the NH Hotel Group. These reports typically include information on the economic, environmental, and social and labour aspects of the company. The social and labour section typically provides information on labour practices, safety, training, education and local involvement. The only chains that follow the GRI standards to write their reports are Meliá and the NH.

**Table 1.** CSR practices of the top five Spanish hotel chains operating all over the world ranked by number of hotels and rooms.

Hotel Chain	Report Drafted by the Hotel	GRI	Ethics Code UNWTO	Internal Ethics Code	Hotels	Rooms
Meliá Hotels International	2010–2018	Yes	Yes	Yes	179	47.253
NH Hotel Group	2010-2018	Yes	Yes	Yes	253	43.070
Barceló Hotel Group	2013-2017	No	Yes	Yes	185	38.283
Eurostars Hotel Company (Hotusa Group)	No	No	No	No	61	31.537
RIU Hotels & Resorts	2018	No	Yes	Yes	65	21.936

Source: Top 10 of the Hosteltur Ranking of international presence of Spanish chains [53], annual reports of companies [54–57] and UNWTO [58].

The analysis of CSR practices in tourism shows uneven implementation in relation to the type of companies that have pioneered them and the type of practices that they have adopted [59]. Due to their greater size and visibility, hotel chains have been more willing than other companies to implement CSR, but they have mainly addressed the environmental dimension of CSR, while making little progress in the social dimension.

The number and volume of CSR reports should undergo a significant increase, driven by the need for real progress in SDGs and the implementation of Spanish Law 11/2018 [60]. This law obliges companies with more than 500 employees to provide non-financial reports. Such an increase would help determine the actual impact of companies on society and the environment, regardless of their commitments and codes of practice. In the absence of a single criterion for drafting the reports, the international community has acknowledged the use of the GRI principles and guidelines for measuring, publishing, and communicating company activity to stakeholders.

The degree to which an organization is engaged in CSR can be estimated by determining whether it develops its own ethical and behavioural codes, or adheres to the ethical codes of the sector. The vast majority of hotel chains have created their own codes of ethics and are also signatories to the UNWTO Code of Ethics.

However, there is a risk that the new CSR framework could be used by organizations to simply change their strategy style. In a time of apparent positive progress in CSR initiatives, many negative impacts have also been taking place. For example, there has been a deterioration in labour relations in the hotel sector due to large multinational companies following a policy of restructuring the productive process in order to avoid strict labour regulations.

Thus, on the one hand, CSR is being widely adopted by the hotel sector. According to their CSR reports, hotels are addressing climate change and environmental deterioration by implementing a

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range of measures, such as using less energy, reducing water consumption, and reducing their impact on the landscape impact. On the other hand, much remains to be done to improve labour practices and the job stability of employees. Consumers tend to view employees as reflecting the true image of the company.

In effect, there is no lack of corporate non-financial information, but there is a lack of "quality" and consistent data that can be compared. That is, non-financial data cannot be assessed in a homogeneous and comparable manner, because companies can present the content of their CSR actions according to their own interests and criteria. The development of the EU Non-Financial Directive is a good standard by which to establish quantitative indicators for labour policies. Similarly, the HJLR project offers objective, comparable, and high-quality information to the hotel sector in Spain.

Based on the World Code of Ethics for Tourism, several bodies have joined forces to develop and strengthen the "Fair Hotels" labour program in their respective countries. These bodies include the Federación de Servicios de Comisiones Obreras (CCOO) and the Federación de Servicios para la Movilidad y el Consumo de la Unión General de Trabajadores de España (FeSMC-UGT) (The CCOO and UGT are Spanish trade unions with the most members in the tourism industry) in Spain, and UNITE HERE in the United States and Canada. This partnership seeks to raise awareness among employers, employees, and especially customers and the local community, on the relevance of fair working conditions and socially responsible tourism. A team of researchers, including the present authors, were asked to collaborate in the development of the project.

#### 2.2. International Initiatives on Fair Hotels and Labour Practice/Working Ethics Indicators

The HJLR project is the Spanish contribution to the international FairHotels project that has already been developed in seven countries. The objective of the FairHotels project is to enable companies to demonstrate that their activities are socially responsible. It has been launched in Canada, the United States, Ireland, Sweden, Denmark, Norway, Croatia and Slovenia. The FairHotels project provides tourists with access to a website containing a list of hotels that have implemented fair working conditions for their employees. The project is an example of a partnership in the hotel sector between workers, unions and clients.

The project was founded on the assumption that the hotel industry is principally an industry of people and that in order to attract and retain a qualified and committed workforce the employees must feel that their work is valued. The hotels included in the FairHotel project pay fair wages and respect the workers' human rights. Workers at Fairhotels have collective labour agreements that guarantee and defend their labour rights, and give them a voice regarding policies that minimize potential health risks due to accidents and injuries.

The experience obtained from these initiatives has been translated into an international benchmark for workplace intervention strategies and has formed the basis for the creation of new alliances between fair trade organizations and trade unions. However, there is a lack of consensus on how to qualify a hotel as a fair labour hotel.

Furthermore, most initiatives have focused their efforts on creating lists, brands, or labels to highlight or award hotels and other tourism establishments that have implemented collective labour agreements with their workers. However, no initiatives have assessed the social responsibility of hotels toward their workers. It should also be taken into account that there is variation between countries in the structure of labour relations. Verifying adherence to the collective work agreements of different countries is of limited use as the only way to identify those establishments that are fair to their workers. The HJLR project measures a set of areas and dimensions that accurately and objectively identifies the degree to which hotels implement fair labour practices and are socially responsible.

#### Fair Labour and Working Ethics Indicators

The ISO 26000 standard, OECD Guidelines and ILO Principles and Standards include the principles on which there is greater degree of consensus on fair labour and working ethics. In the area of tourism,

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the Global Code of Ethics for Tourism is currently being specified into a set of fair labour and working ethics indicators in tourism.

The systems of indicators with the greatest consensus are the Performance Indicators of the GRI and those of the Non-Financial Information Directive, which has been embodied in Spanish legislation through Law 11/2018. The CERSE (Spanish State Council for CSR: Consejo Estatal de Responsabilidad Social de las Empresas (CERSE)), in tandem with the CVMV (Spanish National Securities Market Commission: Comisión Nacional del Mercado de Valores (CNMV)), is the Spanish body in charge of developing a fair labour and working ethics indicator system. This task has been supported by the Spanish Law on Sustainable Economy.

The principles and FL indicators developed in the HJLR project make use of the above indicators. We hope there will be a feedback process and in the future the HJLR will serve to further improve the CERSE indicator system (the main basis of the HJLR initiative is the combination of the CSR indicators of the GRI and the labour goals published in the Spanish Federal Congress for Trade Union Action in 2009 [61] and the TUAC-CSI guideline [62]).

The aim of all legislation on this issue is to promote transparency and facilitate a type of governance based on relevant, understandable, accessible and comparable reports and indicators. The HJLR project contributes to the labour factors of the GRI reporting system by being based on a local perspective (i.e., Spanish Hotels) and through the use of a simple tool. The goal of sustainable development can be advanced by adding assessments that will be obtained from other global assessments (territories, brands, economic sectors).

#### 2.3. Conceptual Delimitation of the HJLR Project

In this section, we conceptually delimitate the objective of the project by analysing some key terms. According to Spanish Ministerial Order Article 15 [63] "in order for an establishment to be classified in the category of hotels, it must meet, in addition to the criteria relevant to the corresponding category, the following:

- a. Occupy a whole building or a fully independent part of it, with independent facilities, entrances, elevators, and stairs for exclusive use.
- b. With the exception of hotel-residences, provide the public with accommodation and meals services, subject or otherwise to a full-board regime, according to the clients' preferences.
- c. Have available individual rooms comprising at least 10% of all the available rooms."

Hotel companies vary considerably according to the application of multiple criteria. The most typical criteria are category and size. Regardless of category, we define a hotel as the set of goods that, forming an autonomous functional unit, is organised by its owner to adequately provide a hotel accommodation service.

From scholarly discussions of the values which underlie justice [64] (p. 69), two key values in this context are: "All receive outcomes proportional to their inputs" and "They have equal opportunity to compete without external favoritism or discrimination".

The concept of a "fair hotel" refers to an establishment that operates according to the principle of equity by which all workers receive that which corresponds or belongs to them. In this setting, the concept of equity is directly associated with the idea of a socially responsible hotel and, thus, with the concept of CSR (i.e., the responsibility of companies for their social, economic and environmental impact on society).

CSR is a tool for creating value for its stakeholders (e.g., customers, workers, suppliers, shareholders, and local community) and is also a useful business strategy. The concept of CSR first arose in the 1950s in the USA. In Spain many authors, such as Aranda [15] Palacios, Rosa and Castellanos [65], indicate the concept continues to evolve as a multidimensional construct, which has been shaped by Carroll's Pyramid, Sustainable Development theory, and Stakeholder Theory.

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The HJLR project takes an eclectic perspective, using the dimensions and components of CSR as its foundation. It has a strong focus on the ethical dimension, which is one of the three dimensions that most significantly participate in its configuration from the viewpoint of the consumer [15]. This dimension includes the items used to assess the ethical behaviour of organizations in relation to their management of human resources (i.e., the humane treatment of employees, work-life balance, schedule flexibility, decent working conditions, adequate remuneration and training and development).

A key aspect in the multidimensional aspect of CSR is that, from the perspective of consumers, hotels have to consider their workers, suppliers and clients as stakeholders [65].

This integrative approach expands the traditional concept of customer, distinguishing between external and internal customers. External costumers include the so-called social consumers who consider socio-cultural, political-legal and environmental aspects when choosing products. External clients have to be taken into account not only for the obvious reason that hotels have to comply with current legislation, but also because sustainability will benefit the company in the medium and long term. The goal of sustainable development is simple: to achieve higher levels of quality of life within society, while contributing to improve the competitive position of companies (i.e., a win-win philosophy).

This complex reality entails growth in the field of research on the benefits and advantages of sustainable development, and raises awareness concerning the importance and value stakeholders place on sustainable development. Despite the socio-economic relevance of the hotel sector, there is a striking lack of research on the design and validation of adapted and validated scales of measurement that can be used to reach a consensus on the fair labour rating of hotels.

#### 3. Methodology

In order to fulfill the objective of this paper, in this section we describe the development of the model of FL indicator for Spanish hotels. The HJLR model was designed to promote fair labour and socially responsible hotels in Spain. Therefore, we adapted it to the reality of the sector and followed a qualitative/exploratory methodology. Data were obtained using tools such as design thinking, focus groups, benchmarking, expert panels, observation, and document review.

After an initial meeting with the sponsors of the project, we investigated secondary sources of information. For example, we analysed labour justice initiatives in the Spanish hotel sector, previous implementations of labour justice certifications in other countries, and methods used to setup similar certifications.

We followed a design thinking process to develop an innovative design focused on people. Its aim was to serve as a lens through which to observe challenges, detect needs, and generate solutions for the hotel sector [66]. We chose this method to improve the design of the model, raise our awareness of the issues during the creation process, and address needs and desires in a way that would be technically feasible and commercially viable.

Design thinking addresses the design process, leaving in the background aspects associated with the final product. It integrates approaches from different fields through the participation of multidisciplinary teams to achieve the following [67]:

- Acquire knowledge and understanding of the product's users, and the situation or the problem at hand.
- Develop empathy toward sponsors and users (i.e., hotel managers and hotel clients) by observation.
- Generate a standard user for whom the model is designed, thus defining the point of view from which to develop the design.
- Generate as many ideas as possible.
- Build a prototype using the most promising ideas.
- Allow users to test the prototype, collect information on their interactions, and learn from the
  data obtained. In order to enable this, it was necessary to let users test the model, and gather
  information from the interaction.

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In summary, this method is based on the observation of users in order to find user-centred solutions. Thus, we used the five classic consecutive stages described by different schools of thought [68–70]: empathizing, defining, devising, prototyping and validating. After completing all the stages, new iterations can enrich the solution obtained and validated with the user group. However, in order to avoid over-extending the design process, the HJLR design went through each stage only once. Even so, it took 10 months of intense work to complete it.

# A. Empathizing

Given that the design was created for a third party, the first step was to identify what they really wanted and what was truly relevant to them. The objective was to improve our perspective of what the framework provides, and to understand the third parties and their context. Some research and ethnographic study was essential to achieving these aims. We used focus groups, benchmarking and research on the Internet to obtain sufficient information on our clients/sponsors.

- A focus group is a form of group interview (i.e., a qualitative research method). In this case, the moderator asked representatives of the CCOO and UGT questions relating to what they intended to achieve with the initiative. An observer monitored the interviews to gain insight into new perspectives.
- We used various search engines and specialized databases to gather information on similar initiatives and then benchmarked such information. We adopted any aspects we found to be of interest. To this end we used international sources such as the GRI indicators, ISO 26,000 standard or systems created in other countries.
- The Internet has become an immense source of additional information, complementing traditional research techniques and helping to better understand and reach future users. We reviewed scientific articles on labour justice practices, but also included news reports and opinion pieces on labour justice issues in the hotel sector, as well as interviews with key representatives of public administrations, consumers, trade unions, business organizations and so on.

# B. Defining

We then addressed the most relevant aspects of the information obtained and identified points of action that encompassed the main aspects encountered from which to start generating solutions.

The point of action had to define the area of interest in such a way that it was not so broad that it would be impossible address, and not so restricted that possible solutions would be of little use or value. The needs and desires of the sponsors (i.e., the two Spanish Unions) and their underlying reasons are summarized by the following sentence: "Trade unions want to develop a fair labour and socially responsible model that promotes decent work in the hotel sector." This action point served to define the creative challenge of the initiative: "How can working conditions in the hotel sector be improved such that they are decent?".

#### C. Devising

In this stage we suggested solutions to the challenge. Thus, we had to generate ideas, which we accomplished using brainstorming techniques and the Scamper method.

- We held a 90-min brainstorming session using post-it sticky notes to gather and visualise the ideas generated.
- In a subsequent 60-min session, we used the Scamper method to look at the area of interest from another point of view and redefine some of the ideas that that emerged during the brainstorming session.

Based on the results of the two sessions, we realized that we needed to design a set of FL indicators for the HJLR model to achieve the aim of making working conditions in the hotel sector in Spain more

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decent. Taking this need as a starting point, we defined the mission, vision and specific objectives of the project.

# D. Prototyping

We then turned our ideas into an initial prototype. To this end, we appointed a permanent technical committee comprising nine researchers from the Faculty of Tourism of the University of Málaga and representatives from the CCOO and UGT. The union representatives were tasked with working in different temporary operational subcommittees to cover all the stages of designing the HJLR model.

Before the permanent technical committee met to identify the dimensions of labour justice in hotels and the factors or items that compose the dimensions, an operational committee was appointed to conceptualize the meaning, background and dimensions of Labour Justice Hotels (LJH).

Based on the conclusions of the operating committee, the permanent technical committee defined the LJH concept and agreed on the dimensions and items that it should include. These results were reviewed by the operational subcommittees.

A consensus was reached on the number of dimensions and items and their representativeness and operability. The operational committees then addressed the weightings and the measurement scale for each of the dimensions and items proposed to assess hotels globally.

After sharing the results of the operational subcommittees, the permanent technical committee reached a consensus on the dimensions and items that would form the global HJLR assessment system, as well as their weightings and measurement scales, for the hotel sector in Spain. The committee also defined the person who would be responsible for providing the information required, and what documents would be needed to demonstrate adherence to the criteria.

These results were returned to the operating committees for testing. The prototype was created using a spreadsheet. A test run was performed that facilitated the visualization and analysis of the model and allowed the sponsors to redefine the dimensions and items. In this way, the design process was advanced. We were able to capitalize on this situation by detaching ourselves from our own prejudices concerning the prototype shown to the sponsors.

Finally, we designed a website (https://www.fairhotels.es/home) that included the system of indicators and measurements. The website was designed such that: (a) hotels can obtain information on what it means to be a LJH, the dimensions and items measured, the documentation they would need to provide, the steps to follow, etc.; (b) the certification committee can reply to interested hotels, process certification applications, provide documentation, communicate with applicants, etc.; (c) tourists and the general public can find out what a LJH is, the dimensions and items that are measured, the list of certified hotels, etc. This online system also underwent testing.

#### E. Validating

The critical moment was reached when the CCOO and UGT were shown the design. At this point, the process of generating ideas was over. Its beginnings were based on a previous study and the definition of the action points that encompassed any aspects of special relevance. However, this model was not the final one, nor did it include all the desired functionalities. These were incorporated gradually when the sponsors required them.

During the prototype validation process we not only presented the model, but also listened again to the sponsors with empathy, while detaching ourselves from our preconceived ideas and prejudices. During this listening and observation process, we recorded their opinions and reactions to the design (both verbal and non-verbal) in order to understand them rather than attempting to sell them the design. The listening and observation process was as follows:

 An initial meeting was held in which the operating committee presented the prototype to the permanent technical committee. Along with the team, they reviewed the steps that had been Sustainability **2019**, 11, 4639 11 of 20

taken to reach that stage (i.e., empathizing, defining, devising, and prototyping). A simplified outline of the route we had followed helped us to obtain the corresponding feedback.

- Their contributions led to a second meeting in which the prototype was approved. It was then decided to transfer the final product to the operating committees of the two trade unions to test the model and the functionality of the website.
- A third meeting was held and, based on the new results, small adjustments were made to fine-tune the solutions that would meet the needs and desires of the sponsors.

Their feedback was very satisfactory. This stage marked the turning point for making strategic decisions concerning launching the model on the market.

#### 4. Results

In this section, we describe the results of the process, that is to say, the characteristics of the designed model of FL indicators to the hotel sector in Spain. Thus, following the guidelines of the permanent technical committee, we defined a series of categories or analysis indicators to assess whether a hotel fits the HJLR model. It has to be said that this model has been specifically designed for the hotel industry, although it could also be thought a possible adaptation to other industries, especially service sector ones. These indicators were grouped by categories and dimensions:

- Employer-employee relations: issues related to employer-employee relations, such as consultation
  practices with employees and their representatives, and the announcement of significant
  operational changes.
- 2. Employment: Hiring, recruitment, retention, working conditions, and other company-related practices.
- 3. Health and Safety at the workplace: The analysis and control of health and safety risks, training on these issues, the reporting and investigation of health and safety incidents, and adherence to strict standards to achieve a safe and healthy work environment. This category deals with the prevention of occupational hazards and the creation of a healthy workplace that fosters the well-being of workers.
- 4. Training and professional development: All issues related to the training of employees, skills improvement, performance and professional development assessments, and professional development programs that promote continuous education, long-term employability and managing the end of professional careers due to retirement or dismissal.
- 5. Diversity and Equal Opportunities: Equal treatment and opportunities for men and women at work. This aspect can bring significant benefits to workers and the company itself. For example, employers can access a wider and more diverse set of potential personnel.
- Pay equity: This category of indicators is used to assess whether the amounts allocated for worker pay are distributed equally over a set period of time and according to the merits and productivity of the workers.

For each category, we defined a set of items to measure different aspects (a selected group of indicators, that in the future could be reviewed and completed). Each indicator has a measurement scale and a weighting. It also specifies the person/body responsible for providing the required information. The complete model was designed that will let hotels could start measuring their own FL situation, as can be found below:

- 1. Employer-employee relations (15%)
  - 1.1 Compliance with the collective labour agreements of the sector or similar company agreements (30%)
    - Definition: All hotel establishments must apply the pertinent collective labour agreements. If company agreements already exist, these must at least fully abide by

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the sectorial collective labour agreements on social and economic issues. Regarding subcontracting and outsourcing, the company must comply with the conditions of the applicable collective labour agreement.

- Measurement scale: Compliant = 1; Noncompliant = exclusion.
- Person/body in charge: Company or trade union representation.
- Source of information/verification: Checking four to five payrolls of workers in different positions, and verifying adherence to the collective labour agreement, particularly adherence to the base wage and pay supplements set out in the agreement. If there are subcontracted positions, check the payrolls of these workers on these specific points.

# 1.2 Freedom of worker association (30%)

- Definition: No resolutions or final judgements made during the last 3 years to restrict freedom of worker association.
- Measurement scale: Complaint = 1; Non-compliant = exclusion.
- Person/body in charge: Company or trade union representation.
- Source of information/verification: Searching for possible court records by company/establishment. Consultations with our teams of lawyers.

#### 1.3 Trade union representation (20%)

- Definition: Presence of trade union representation that can freely exercise its functions.
- Measurement scale: No representation = 0. No representation in the establishment, but representation in the hotel chain = 2. Representation in the establishment = 4.
- Person/body in charge: Company or trade union representation.
- Source of information/verification: To be verified in trade union elections records and regional records (electoral office), and then compared with our own data.
- 1.4 Information and consultation with the legal representatives of the workers (LRW) (20%)
  - Definition: Regular compliance with the obligation to inform and consult the company or union representative.
  - Measurement scale: Compliant = 1; Non-compliant = 0.
  - Person/body in charge: Company or trade union representation.
  - Source of information/verification: Check what regular or specific information has been given to the LRW during the previous year and that a proof note was issued. Cross-check with the LRW.

# 2. Employment (20%)

# 2.1 Permanent and temporary staff (60%)

- Definition: Ratio of permanent and discontinuous permanent contracts per total number of workers in the establishment.
- Measurement scale: Less than 60% or no information provided = 0; 60-65% = 1; 65-70% = 2; 70-80% = 3; 80-100% = 4
- Person/body in charge: Management of the establishment.
- Source of information/verification: Information provided by the company, cross-checked with social security documents and similar information.

## 2.2 Full-time and part-time staff (40%)

• Definition: Percentage of full-time contracts.

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• Measurement scale: Less than 70% or no information provided = 0; 70-75% = 1; 75-80% = 2; 80-90% = 3; 90-100% = 4

- Person/body in charge: Management of the establishment.
- Source of information/verification: Information provided by the company, cross-checked with social security documents and similar information.

#### 3. Workplace health and safety (15%)

# 3.1 Safety representatives (25%)

- Definition: Presence of safety representatives, or joint management-staff health and safety committees, which are established to help monitor and advise on workplace health and safety programs.
- Measurement scale: Compliant = 1; Non-compliant = 0.
- Person/body in charge: Management of the establishment.
- Source of information/verification: Minutes of the Health and Safety Committee (HSS)
  meetings, or in the absence of a committee due to the size of the company, information
  and participation provided to the safety representatives. All this information should
  refer to the previous year.
- 3.2 Plans and preventive measures for workplace health and safety (25%)
  - Definition: Workers have the right to effective protection in this area, which must be achieved through the prevention of occupational hazards, including measures such as a plan for the prevention of occupational hazards, risk assessment (including psychosocial risks), and health monitoring.
  - Measurement scale: No plans or preventive measures = 0; risk assessment = 1; occupational hazards prevention plan = 2; existence of improvements (counselling, prevention, and risk assessment programs) = 3; improvements agreed with company's or union representation = 4.
  - Person/body in charge: Management of the establishment.
  - Source of information/verification: Copy of the required documentation (e.g., prevention plans, risk assessment, and planning of prevention activities), minutes of the health and safety committee meetings, communications to the workers.

# 3.3 Temporary disability (20%)

- Definition: Percentage of temporary disabilities caused by common and professional illnesses in the last 3 years.
- Measurement scale: Less than 3% = 4; 3-5% = 3; 4-8% = 2; 8-10% = 1; more than 10% = 0.
- Person/body in charge: The company, cross-checked with company or union representation.
- Source of information/verification: Statistical data provided by the mutual insurance provider to the company, and by the company to the safety representatives or health and safety coordinators. Verification controls by the mutual insurer of the illness or accident alleged by the worker.

#### 3.4 Rate of workplace accidents (30%)

- Definition: Rate of accidents at work in the last 3 years.
- Measurement scale: No incidents = 4; accident rate of more than 5% every year = 1; fatal accidents = 0
- Person/body in charge: The company, cross-checked with company or union representation.

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Source of information/verification: Reports provided by the mutual insurance provider
to the company. For workplace accidents, the "registro Delta" (i.e., the Spanish system
for communicating accidents at work). For occupational diseases, the CEPROSS
records (i.e., the equivalent system for occupational illnesses), which adheres to
current data protection legislation. Indices of general and extreme accidents.

- 4. Training and professional development (15%)
  - 4.1 Training and professional development plan (50%)
    - Definition: The existence of a training plan that, in addition to training actions, includes a study of training needs and an assessment of the training received by the staff.
    - Measurement scale: No plan = 0; a training plan = 1; workers participate in the design and follow-up of the training and information plan = 2; more than 30% of training time during working hours = 3; if professional development plan available = +1.
    - Person/body in charge: The company, cross-checked with company or union representation.
    - Source of information/verification: Information provided by the company, cross-checked with the LRW, with details of subsidized courses or not.
  - 4.2 Average training rate (50%)
    - Definition: Percentage of the workforce that has received training.
    - Measurement scale: Less than 25% = 0; 25-50% = 1; 50-70% = 2; more than 70% = 3; the number of average training hours received by the worker exceeds 20 hours per year = +1.
    - Person/body in charge: The company, cross-checked with company or union representation.
    - Source of information/verification: Training data presented by the company, verified
      with information from the LRW. List of participants in training plan, used to
      cross-check the workforce census to verify if all workers have participated in a
      training plan and in what type of plan.
- 5. Diversity and equal opportunities (20%)
  - 5.1 Measures to improve work-life balance or the existence of an equality plan (30%)
    - Definition: Measures implemented to promote an adequate work-life balance, or existence of an equality plan.
    - Measurement scale: No = 0; Yes = 1.
    - Person/body in charge: The union representative or staff committee.
    - Source of information/verification: Verify if there are agreements with the LRW on this issue. If there is an equality plan, it should have been negotiated with the LRW. Use the minutes of the meetings to verify that the monitoring committee meets with sufficient periodicity for an effective follow-up. If the plan comes from the parent company, check if the hotel in question has implemented it and its effect. If there is no plan, check what measures have been verifiably implemented and announced. Check that the LRW has been informed and that there has been follow-up on how these measures have been implemented.
  - 5.2 Gender pay gap (40%)
    - Definition: Ratio of total wage expenses between women and men.

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- Measurement scale: If more than 60% = 0; if less than 60% = 1.
- Person/body in charge: Management of the establishment.
- Source of information/verification: Company information and verification with social security records. See the information sent to the LRW.

#### 5.3 Gender ratio in staff (30%)

- Definition: Breakdown of the number of workers by gender in each of the three professional categories included in the Collective Labour Agreement for the Hospitality Sector in Spain (ALEH).
- Measurement scale: 45-55% = 4; 40-60% = 3; 35-65% = 2; 30-70% = 1; less than 30% = 0.
- Person/body in charge: Management of the establishment.
- Source of information/verification: Company information and verification with social security records. See the information sent to the LRW.

# Pay equity (15%)

- 6.1 Highest wage compared to the average wage (50%)
  - Definition: Ratio of the highest wage to the average wage of the staff.
  - Measurement scale: If greater than 3 = 0; If less than 3 = 1.
  - Person/body in charge: Management of the establishment.
  - Source of information/verification: Company information and verification with social security records. See the information sent to the LRW.
- 6.2 Highest wage compared to lowest wage (50%)
  - Definition: Ratio of the highest wage to the lowest wage.
  - Measurement scale: Between 6 and 12 times = 1; more than 12 = 0.
  - Person/body in charge: Management of the establishment.
  - Source of information/verification: Company information and verification with social security records. See the information sent to the LRW.

#### 5. Discussion and Conclusions

The main objective of this paper is to propose and describe a model of fair labour justice for the Spanish hotel sector, in the context of the National Spanish 2030 sustainable tourism strategy, aimed to fulfill the United Nation Sustainable Development Goals.

In light of increasing competition from other Mediterranean destinations, such as Egypt, Turkey or Croatia, Spain must differentiate itself and pay attention to all aspects of the tourist service if it is to retain its position as a world leader in the tourism industry.

Although all the elements of the tourism experience determine the client's level of satisfaction, the quality of hotel service largely depends on the human factor. This factor plays a fundamental role as a differentiating element, particularly at a time when there are still significant opportunities for improvement in this area of the sector.

If there is a lack of specialized and motivated staff capable of providing excellent service, it is pointless to improve processes or management techniques, invest in new technologies, or renovate facilities. Therefore, low-cost personnel policies must be replaced with a focus on quality in human resources [50].

The HJLR model accurately and objectively measures the fairness and labour justice of hotels using a set of different indicators. This model addresses the needs of business, labour and local development, providing added value that is useful to promote and popularize the true relevance of CSR and sustainability among clients and employees. These principles have a positive impact on the hotels that commit to them [12–14,16,17,19–21,26,43,71,72]. The model also has implications for

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attracting and retaining talent because potential employees in the sector can choose those companies that have exemplary labour practices. Similarly, clients can identify hotels that are fair to their workers. In addition to this, the HJLR project tries to mitigate the progressive precariousness of working conditions in the tourism sector, which especially affect women, a weakeness of the Spanish tourism industry [73].

Sustainability is not an easy goal that relates to corporation, as it requires changes in attitudes, social values and in the way we consume and produce goods and services [28]. In this way, the HJLR model could contribute as a mean of sustainable tourism development, an easy-to-use tool for tourists and hotels that could be adapted to other service sectors.

One of the aims of this project is also to remedy the scarcity of research on the design and validation of measurement scales for labour issues adapted to the Spanish hotel sector, thereby opening up a relevant field of research. Thus, the important academic contributions of this paper to the general literature and the state of the art of sustainable tourism, CSR and hotels have to be highlighted, being a relevant first step of future research and measures about this issue (it has to be pointed out that the HJLR project is currently in a testing stage, measuring the situation of different hotels so that, soon, data will be available to deepen the topic from a quantitative perspective). One of the positive aspects of the model is its sector-wide and territorial adaptation: however, this is also a limitation because the model cannot be easily extrapolated to other countries or industries.

As shown in Table 1, there is no lack of non-financial information from hotel chains in Spain, but the quality and comparability of his information is a cause of concern. The market provides abundant non-financial information, but there is a need for data on labour conditions that can be assessed in a homogeneous and comparable manner. The development of the EU Non-Financial Directive is the appropriate standard by which to establish quantitative indicators that reflect the results of labour policies. However, assessments at the sector level, which is the topic of this paper, are also needed to make hotel data more homogeneous and comparable in relation to labour issues.

This sector-wide assessment will be a source of information for intervention strategies on labour and the basis for further advances in socially responsible consumption. Public institutions cannot be market-neutral players: rather, they must promote and build on the results of these assessments. Through the Ministry of Industry, Trade and Tourism, the Spanish Government has shown its support for this project (e.g., [74–78]) as a way to integrate information on labour in the hotel sector.

As we mentioned before, the main limitation of the HJLR model is that the project is currently in the implementation stage. Thus, no data are yet available for the empirical analysis of its costs, benefits and advantages to the hotel sector and tourists. Any such results would allow us identify further practical implications. This aspect opens a future line of research that will address the measurement of the impact of HJLR certification on hotels, particularly in areas such as talent management and employee and client satisfaction.

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