

HRM 140 Legal Issues - Hospitality

COURSE DESCRIPTION:

Prerequisites: None

Corequisites: None

This course covers the rights and responsibilities that the law grants to or imposes upon the hospitality industry. Topics include federal and state regulations, historical and current practices, safety and security, risk management, loss prevention, relevant torts, and contracts. Upon completion, students should be able to demonstrate an understanding of the legal system and the concepts necessary to prevent or minimize organizational liability.

Course Hours per Week: Class, 3. Semester Hours Credit, 3.

LEARNING OUTCOMES:

Upon completing requirements for this course, the student will be able to:

1. Identify the different types of laws
2. Define "Hospitality Law" and discuss the elements of law most commonly affecting industry operations
3. Discuss some advantages and disadvantages of various business structures used in the hospitality industry
4. Identify the regulatory and administrative agencies encountered by hospitality organizations
5. Describe the activities necessary to legally manage employees
6. Explain the duties and obligations of a hospitality operator

OUTLINE OF INSTRUCTION:

1. Identify the different types of laws
 - A. Constitution
 - B. Criminal
 - C. Common & Civil
 - D. Contract
2. Define "Hospitality Law" and discuss the elements of law most commonly affecting industry operations
 - A. Hotels
 - B. Restaurants
 - C. Beverage Operators
 - D. Transportation
 - E. Recreation / Tourism
3. Discuss advantages and disadvantages of various business structures used in the hospitality industry
 - A. Ownership Structures
 - i. Sole Proprietorship
 - ii. Partnership
 - iii. Limited Liability Company

- iv. Corporation
 - 1. C Corporation
 - 2. S Corporation
 - B. Franchise Agreements
 - C. Management Contract
- 4. Identify the regulatory and administrative agencies encountered by hospitality organizations
 - A. Federal
 - i. Internal Revenue Service (IRS)
 - ii. Occupational Safety and Health Administration (OSHA)
 - iii. Food and Drug Administration (FDA)
 - iv. Equal Employment Opportunity Commission (EEOC)
 - v. Department of Labor (DOL)
 - vi. Alcohol Tobacco and Firearms (ATF)
 - B. State
 - i. Alcohol Beverage Commission (ABC)
 - ii. Office of Employment Security
 - iii. Department of Transportation (DOT)
 - iv. Gaming Commission
 - C. Local
 - i. Health Department
 - ii. Building & Zoning
 - iii. Law Enforcement & Fire Department
 - iv. Tax Assessor
- 5. Describe the activities necessary to legally manage employees
 - A. Establish a nondiscriminatory workplace
 - B. Eliminate and prevent sexual harassment throughout the operation
 - C. Work within the structure of employment contracts and union agreements
 - D. Understand what records are required and how long they must be maintained
- 6. Explain the duties and obligations of a hospitality operator
 - A. Define "Tort", "Negligence", and "Liability"
 - B. Define the types of damages that may result from a negligence lawsuit
 - i. Actual
 - ii. Compensatory
 - iii. Punitive
 - C. List the steps to respond to an incident
 - D. Discuss the importance of working to prevent incidents vs. responding to them

REQUIRED TEXTBOOK AND MATERIAL:

The textbook and other instructional materials will be determined by the instructor to insure that current and relevant concepts and theories are present.