

**SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY
NORTHERN ONTARIO HOSPITALITY AND TOURISM INSTITUTE**

SAULT STE. MARIE, ONTARIO



Sault College

COURSE OUTLINE

COURSE NAME: HOSPITALITY LAW

CODE NO. : HMG 240 SEMESTER: 4

PROGRAM: RESORT OPERATIONS PROGRAM

**AUTHOR: PROFESSOR DERON B. TETT
B.A.H., B. Ed.
OFFICE: L1400
PHONE #: 759-2554, EXT. 583
EMAIL: deron.tett@saultc.on.ca**

DATE: 12/04 PREVIOUS OUTLINE DATED: 12/03

APPROVED:

DEAN

DATE

TOTAL CREDITS: 3

PREREQUISITE(S): NONE

HOURS / WEEK: 3

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For additional information, please contact Pat Gibbons,
Dean, School of Hospitality
(705) 759-2554, Ext. 656

Course Name

Code No.**I. COURSE DESCRIPTION:**

This course will provide the student with the essential information that managers need to comply with the body of law that is applicable to operations within the hospitality industry. Further, the content of the course will focus specifically on the rights, obligations and the liabilities of the manager and his or her operation. HMG 240 will bring together legal issues raised in other core hospitality courses.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

Upon successful completion of this course, the student will demonstrate the ability to:

1. Apply knowledge and understanding of the legal process as it pertains to hospitality operations.

Potential Elements of the Performance:

- Apply knowledge of the history and evolution of hospitality law
- Define and state the relationship between statute and common law in relation to hospitality operations
- List the main principles of hospitality law
- Use correct legal terminology and definitions

This learning outcome will constitute 10% of the final mark.

2. Apply knowledge and understanding of contract law as it pertains to hospitality operations.

Potential Elements of the Performance:

- Explain the concepts of offer, acceptance and consideration of contract
- List the legalities of capacity to contract and the concept of legality to object
- List the types of contracts used in the hospitality industry; reservations, guest services, personnel services, breach of contract, and damages to be recovered both actual and punitive.

This learning outcome will constitute 15% of the final mark.

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3. Apply knowledge of the law of tort as it pertains to actual hospitality situations.

Potential Elements of the Performance:

- Define and explain vicarious liability
- Define the elements of tort action
- Apply the concept of burden of proof

This learning outcome will constitute 15% of the final mark.

4. Apply knowledge of the principles of negligence as they pertain to hospitality operations.

Potential Elements of the Performance:

- Describe the elements of negligence
- Demonstrate an understanding of the duty owed to invitees, licensees, trespassers and others.
- Apply legislation and policies related to the provision of accommodation, guest and property safety and security
- Explain the impact of negligence and hospitality practices

This learning outcome will constitute 20% of the final mark.

5. Apply knowledge of the guest-innkeeper relationship and employer-employee relationship as it pertains to both restaurant and lodging sectors.

Potential Elements of the Performance:

- List and explain the rights and responsibilities of the innkeeper and restaurateur
- List and explain the rights and responsibilities of guests
- Apply relevant laws to the guest-innkeeper relationship
- List and explain the main components of the Occupational Health and Safety Act
- Complete a training program in WHMIS (Workplace Hazardous Materials Information System)
- Identify and explain current labour and human rights legislation

This learning outcome will constitute 25% of the final mark.

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6. Apply knowledge of the liabilities involved in the sale of food and beverage in the hospitality industry.

Potential Elements of the Performance:

- Explain the issues that relate to the warranty of food products
- Explain the issue of truth in menu laws
- Demonstrate an understanding of the Liquor License Act for the Province of Ontario

This learning outcome will constitute 10% of the final mark.

7. Develop ongoing personal professional development strategies and plans to enhance leadership and management skills for the hospitality environment.

Potential Elements of the Performance:

- Solicit and use constructive feedback in the evaluation of his/her knowledge and skills
- Identify various methods of increasing professional knowledge and skills
- Apply principles of time management and meet deadlines
- Recognize the importance of the guest, the server-guest relationship, and the principles of good service

This learning outcome will constitute 5% of the final mark.

III. TOPICS:

Note: These topics sometimes overlap several areas of skill development and are not necessarily intended to be explored in isolated learning units or in the order below.

1. Hotels and related establishments defined
2. The Regulatory Environment (all legislation regulating the Hospitality Industry ie. Innkeeper's Act, Occupier's Liability Act, Liquor Licence Act, Hotel Registration of Guests' Act, Hotel Fire Safety Act, etc...)
3. Reception of guests
4. Hotel Bookings
5. Safety of guests
6. Care of guests' property
7. Sale of food and non-alcoholic beverages

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8. Sale of liquor
9. Conduct of guests
10. Innkeeper's compensation and right of lien
11. The employment relationship
12. Hotel, motel and restaurant ownership
13. The travel agent and other tourism establishments
14. WHMIS
15. The Occupational Health and Safety Act

IV. REQUIRED RESOURCES/TEXTS/MATERIALS:

Amirault and Archer, Canada's Hospitality Law. 2nd ed. P. & O. Business Publications, Oakville, 1984.

V. EVALUATION PROCESS/GRADING SYSTEM:

The following semester grades will be assigned to students in postsecondary courses:

| <u>Grade</u> | <u>Definition</u> | <u>Grade Point Equivalent</u> |
|--------------|---|-------------------------------|
| A+ | 90 - 100% | 4.00 |
| A | 80 - 89% | 4.00 |
| B | 70 - 79% | 3.00 |
| C | 60 - 69% | 2.00 |
| D | 50 - 59% | 1.00 |
| F (Fail) | 49% or below | 0.00 |
| CR (Credit) | Credit for diploma requirements has been awarded. | |
| S | Satisfactory achievement in field placement or non-graded subject areas. | |
| X | A temporary grade. This is used in limited situations with extenuating circumstances giving a student additional time to complete the requirements for a course (see <i>Policies & Procedures Manual – Deferred Grades and Make-up</i>). | |
| NR | Grade not reported to Registrar's office. This is used to facilitate transcript preparation when, for extenuating circumstances, it has been impossible for the faculty member to report grades. | |

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Note: Students may be assigned an "F" grade early in the course for unsatisfactory performance.

Professor's Evaluation

| | |
|--|--------------------|
| 3 Tests | 65% |
| Assignments | 30% |
| Student professionalism (Dress code, attendance, conduct) | 5% |
| Total | <u>100%</u> |

ASSIGNMENTS:

Since one of our goals is to assist students in the development of proper business habits, assignments will be treated as reports one would provide to an employer, i.e. in a timely and businesslike manner. Therefore, assignments will be due at the beginning of class and will be 100% complete. All work is to be word processed, properly formatted, assembled and stapled prior to handing in. No extension will be given unless a valid reason is provided in advance.

TESTS:

If a student is not able to write a test because of illness or a legitimate emergency, that student must contact the professor prior to the test or as soon as possible and provide an explanation which is acceptable to the professor. In cases where the student has contacted the professor and where the reason is not classified as an emergency, i.e. slept in, forgot, etc., the highest achievable grade is a "C". In cases where the student has not contacted the professor, the student will receive a mark of "0" on that test.

VI. SPECIAL NOTES:

Dress Code:

All students are required to wear their uniforms while in the hospitality and tourism institute, both in and out of the classroom.

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Code No.Special Needs:

If you are a student with special needs (e.g. physical limitations, visual impairments, hearing impairments, or learning disabilities), you are encouraged to discuss required accommodations with the instructor and/or contact the Special Needs office, Room E1204, Extension 493, 717, or 491 so that support services can be arranged for you.

Retention of course outlines:

It is the responsibility of the student to retain all course outlines for possible future use in acquiring advanced standing at other postsecondary institutions.

Substitute course information is available in the Registrar's office.

Plagiarism:

Students should refer to the definition of "academic dishonesty" in the "Statement of Student Rights and Responsibilities." Students who engage in "academic dishonesty" will receive an automatic failure for that submission and/or such other penalty, up to and including expulsion from the course, as may be decided by the professor/dean. In order to protect students from inadvertent plagiarism, to protect the copyright of the material referenced, and to credit the author of the material, it is the policy of the department to employ a documentation format for referencing source material.

Course outline amendments:

The Professor reserves the right to change the information contained in this course outline depending on the needs of the learner and the availability of resources.

VII. PRIOR LEARNING ASSESSMENT:

Students who wish to apply for advanced credit in the course should consult the instructor. Credit for prior learning will be given upon successful completion of a challenge exam or portfolio

VIII. DIRECT CREDIT TRANSFERS:

Students who wish to apply for direct credit transfer (advanced standing) should obtain a direct credit transfer form from the Dean's secretary. Students will be required to provide a transcript and course outline related to the course in question.