

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



Sault College

COURSE OUTLINE

COURSE NAME: HOSPITALITY LAW

CODE NO. : HMG240 **SEMESTER:** 4

PROGRAM: HOSPITALITY MANAGEMENT – HOTEL AND RESORT

AUTHOR: PROFESSOR DERON B. TETT
B.A.H., B. Ed.
OFFICE: L1400
PHONE #: 759-2554, EXT. 2583
EMAIL: deron.tett@saultcollege.ca

DATE: 05/09 **PREVIOUS OUTLINE DATED:** 12/08

APPROVED: "Penny Perrier" 06/09

CHAIR **DATE**

TOTAL CREDITS: 3

PREREQUISITE(S): NONE

HOURS / WEEK: 3

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For additional information, please contact Penny Perrier,
Chair, School of Hospitality
(705) 759-2554, Ext. 2754

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 limited to situations with extenuating circumstances giving a student additional time to complete the requirements for a course.	
NR	Grade not reported to Registrar's office.	
W	Student has withdrawn from the course without academic penalty.	

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

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Code No.**Professor's Evaluation**

3 Tests	70%
Assignments	20%
Student professionalism (Dress code, attendance, conduct)	10%
Total	100%

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. For further details, please read the Hospitality Centre dress code.

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.

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.

Prior Learning Assessment:

Students who wish to apply for advance credit transfer (advanced standing) should obtain an Application for Advance Credit from the program coordinator (or the course coordinator regarding a general education transfer request) or academic assistant. Students will be required to provide an unofficial transcript and course outline related to the course in question. Please refer to the Student Academic Calendar of Events for the deadline date by which application must be made for advance standing.

Credit for prior learning will also be given upon successful completion of a challenge exam or portfolio.

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

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Disability Services:

If you are a student with a disability (e.g. physical limitations, visual impairments, hearing impairments, or learning disabilities), you are encouraged to discuss required accommodations with your professor and/or the Disability Services office. Visit Room E1101 or call Extension 2703 so that support services can be arranged for you.

Communication:

The College considers **WebCT/LMS** as the primary channel of communication for each course. Regularly checking this software platform is critical as it will keep you directly connected with faculty and current course information. Success in this course may be directly related to your willingness to take advantage of the **Learning Management System** communication tool.

Plagiarism:

Students should refer to the definition of “academic dishonesty” in *Student Code of Conduct*. A professor/instructor may assign a sanction as defined below, or make recommendations to the Academic Chair for disposition of the matter. The professor/instructor may (i) issue a verbal reprimand, (ii) make an assignment of a lower grade with explanation, (iii) require additional academic assignments and issue a lower grade upon completion to the maximum grade “C”, (iv) make an automatic assignment of a failing grade, (v) recommend to the Chair dismissal from the course with the assignment of a failing grade. 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.

Student Portal:

The Sault College portal allows you to view all your student information in one place. **mysaultcollege** gives you personalized access to online resources seven days a week from your home or school computer. Single log-in access allows you to see your personal and financial information, timetable, grades, records of achievement, unofficial transcript, and outstanding obligations, in addition to announcements, news, academic calendar of events, class cancellations, your learning management system (LMS), and much more. Go to <https://my.saultcollege.ca>.

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Code No.Electronic Devices in the Classroom:

Students who wish to use electronic devices in the classroom will seek permission of the faculty member before proceeding to record instruction. With the exception of issues related to accommodations of disability, the decision to approve or refuse the request is the responsibility of the faculty member. Recorded classroom instruction will be used only for personal use and will not be used for any other purpose. Recorded classroom instruction will be destroyed at the end of the course. To ensure this, the student is required to return all copies of recorded material to the faculty member by the last day of class in the semester. Where the use of an electronic device has been approved, the student agrees that materials recorded are for his/her use only, are not for distribution, and are the sole property of the College.

Attendance:

Sault College is committed to student success. There is a direct correlation between academic performance and class attendance; therefore, for the benefit of all its constituents, all students are encouraged to attend all of their scheduled learning and evaluation sessions. This implies arriving on time and remaining for the duration of the scheduled session. ***It is the departmental policy that once the classroom door has been closed, the learning process has begun. Late arrivers will not be granted admission to the room.***

Tuition Default:

Students who have defaulted on the payment of tuition (tuition has not been paid in full, payments were not deferred or payment plan not honoured) will be removed from placement and clinical activities. This may result in loss of mandatory hours or incomplete course work. Sault College will not be responsible for incomplete hours or outcomes that are not achieved or any other academic requirement not met as of the result of tuition default. Students are encouraged to communicate with Financial Services with regard to the status of their tuition prior to this deadline to ensure that their financial status does not interfere with academic progress.

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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 and agreed to by the professor in advance.

Testing Absence:

If a student is unable to write a test for medical reasons on the date assigned, the following procedure is required:

- In the event of an emergency on the day of the test, the student may require documentation to support the absence and must telephone the College to identify the absence. The college has a 24 hour electronic voice mail system (759-2554) Ext. 2600.
- The student shall provide the Professor with advance notice preferably in writing or e-mail of his/her need to miss the test with an explanation which is acceptable to the professor.
- The student may be required to document the absence at the discretion of the Professor.
- All decisions regarding whether tests shall be re-scheduled will be at the discretion of 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.
- The student is responsible to make arrangements, immediately upon their return to the College with their course Professor in order to make-up the missed test.