

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Outline: HOSPITALITY LAW

Code No.: HMG240-3

Program: HOTEL AND RESTAURANT MANAGEMENT

Semester: FOUR

I
Date: JANUARY 1994

Previous Outline
Dated: JANUARY, 1993

Author: PHIL LEMAY

New:

Revision:

X

APPROVED:

Dean, Business & Hospitality

Date

BUSINESS LAW

HMG240-3

Course Name

Course Number

LENGTH OF COURSE: Three hours per week for one semester.

TEXT: No mandatory text.

Reference text recommended: The Law and Business Administration in Canada;
6th edition by Smythe and Soberman

GENERAL OBJECTIVES:

Purpose:

The purpose of this subject is to provide the student with the knowledge of the principles of Commercial Law as it affects business in general and the hotel restaurant industry in particular and thus to develop in the student an understanding of these rules, to develop the skill of recognizing, classifying, changing and analyzing business legal problems, and in so doing develop a positive attitude toward the judicial process and its complexities.

METHOD OF INSTRUCTION:

- reading assignments, lectures, discussion, case studies, tests and assignments.

• **ARTICLE** - is defined as: the topic may be about a case which actually took place in the courts, or about a set of circumstances that has actually occurred, but in either situation the information about it was reported in a NEWSPAPER, MAGAZINE or some other PUBLICATION, reference to which was made in class, or was in fact read by, or to the class. However, it does not include cases or examples in the text or mentioned in explanation by the instructor or student, not in a publication. And, please note the spelling of the word - **ARTICLE!!** Some articles will be placed on reserve in the Library and students will be responsible for their content.

EVALUATION: Student Evaluation

GRADE INTERPRETATION:

The student's grade will be determined by the administration of a maximum of three tests. Tests will be True/False. Test results will be returned to the students after grading in order to permit verification of the results. Test papers are not returned to the students but may be obtained for review in the professor's office or a group review may be arranged on a student spare. The tests will be answered on computer sheets, therefore, the students will require his/her student number as well as an "HB" pencil.

1. Basis: The student's grade will be determined by the administration of a maximum of five tests of equal value.
- 2- Grading: A letter grading of A,B,C, I or R will be used to indicate the achievement or value of the student's work.

(A+) 90% and over

- (A) This grade means that the student has an exceptional understanding of and/or ability with the portion of the subject assessed, to such an extent that he/she has a complete or near complete grasp of or ability with the material or work and thus understands at least eighty percent of the work tested.
- (B) This grade means that the student has a high degree of understanding of and/or ability with the portion of the subject assessed and thus understands at least seventy percent or able to perform more than seventy percent of the work tested.
- (C) This grade means that the student has a basic understanding of all the elementary essentials of the portion of the subject assessed, and/or able to perform all the basic elementary essentials or the work tested and thus understands at least sixty percent or able to perform more than sixty percent of the work tested.
- (I) In tests and assignments this grade means that the student has not successfully demonstrated a basic understanding of the material assessed to achieve a "C" grade.
- (R) This grade means that the student has not achieved a minimum of a "C" grade in the final average calculation of all his tests, etc., or has demonstrated a lack of serious intention in acquiring a basic understanding of the material during the semester.

*NOTE: THIS MEANS THERE WILL BE NO MAKE-UP TESTS, ETC.

Miss a Test: If a student misses a test, it is the student's responsibility to contact the instructor in the first class the student has with the instructor after the test, or upon returning to the College, and make arrangements to take the test. The student, of course, must have a valid reason for not writing the test in the first instance. If the student fails to contact the instructor within a reasonable time, the student may be refused the opportunity to take the test at a later time. If the student is to write the test, it will be either a true/false or essay type test, at the discretion of the instructor. The student will be advised a week in advance which type of test will be administered.

^^PUNCTUALITY:

Classes will commence on time, that is, precisely on the half hour, students are expected to be in class beforehand. Anyone not present as aforesaid will be refused entry. Tardiness causes interruption in the class process and is therefore discouraged. If a student foresees circumstances that may result in being late, the student should discuss these situations with the instructor and flexibility can be agreed upon. If the student is late he/she should knock on the door and the professor will discuss at that time whether to permit the student to enter.

ATTENDANCE:

Because there is no text for this program, most of the information and explanations **may** be obtained only by being present in class. Attendance is therefore crucial. Consequently, attendance is important in assessing an individual's understanding and thus MAY be calculated into the grade.

SPELLING - GRAMMAR:

Correct spelling and grammar in all test papers and written submissions are essential to effectively communicate proof of understanding of the subject content. Any serious frequency of spelling errors, particularly of subject terminology or of grammar errors will probably reduce the receiver's or marker's ability to accurately interpret the communication, and thus should be avoided, and may also therefore justify the lowering of the mark by one grade or more, and even possibly the granting of an "I" grade.

HOSPITALITY LAW - HMG240-3

ITEM

LECTURE EMPHASIS

Course outline distribution and timetable review.

EMPLOYMENT STATUTE
LAW (GENERAL)

British North America Act, Canada Labour Standards Code, Employment Standards Act, Occupational Health and Safety Act. Smoking in the Workplace Act, 1990, Ontario Labour Relations Act, and Amendments, 1993, Education Act, Retail Businesses Holidays Act.
Articles, Pamphlet

EMPLOYMENT STANDARDS
ACT

Jurisdiction of Federal and Provincial Governments, sections of the Employment Standards Act, purpose, general provisions, interpretations, crown, waivers, standards, civil remedy, priority, wage and wage protection, garnishment and federal laws that are similar.
Articles

TEST

ITEM

LECTURE EMPHASIS

Specific provisions, records, time limits, continuity, hours of work, minimum wage, public holidays, overtime pay, vacation, vacation pay, equity pay and federal laws that are similar.
Articles.

Termination notice for good employees instances where no notice is required, severance pay, polygraph tests, working on Sunday law, Retail Businesses Holidays Act, the Ontario Wage protection program 1990; and federal laws that are similar.
Articles.

Penalties under the statute, the Education Act, Occupational Health and Safety Act, general considerations, Smoking in the Workplace Act, Sault College Policy, the Labour Relations Act and federal laws that are similar.
Articles

TEST

7
ONTARIO HUMAN RIGHTS
CODE

Canada Act, Canada Human Rights Act, Ontario Human Rights code, philosophy behind legislation, areas and grounds, covered by each, concept of equal treatment and federal laws that are similar.
Articles

Application to the topic of employment, recruitment, advertisements, application forms, interviews, training, transfers, promotions, dismissals, benefits, special employment agencies and associations and federal laws that are similar.
Articles

ITEM

LECTURE

Identification and analysis of the various grounds of discrimination and in particular, religion, sex, sexual orientation, handicap, harassment, sexual harassment, age, mental status, family status, record of offences, the Canada Act, Charter of Rights and federal laws that are similar. Articles.

10

Employer's responsibilities under statute law, statutory and civil penalties or remedies, linguistic discrimination, exclusions such as appearance, political belief philanthropic organizations, nepotism, smoking, affirmative action, or employment equity, and federal laws that are similar. Articles

TEST