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		02-112j	APR 22 2003	APR 29 2003

Curriculum Proposal Cover Sheet - University-Wide Undergraduate Curriculum Committee

Contact Person Mrs. Linda Sullivan	Email Address lsulliva@iup.edu
Proposing Department/Unit Hotel, Restaurant, & Institutional Management	Phone 7-4440

Check all appropriate lines and complete information as requested. Use a separate cover sheet for each course proposal and for each program proposal.

1. Course Proposals (check all that apply) <input checked="" type="checkbox"/> New Course ___ Course Prefix Change ___ Course Deletion ___ Course Revision ___ Course Number and/or Title Change ___ Catalog Description Change		
<hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"><i>Current Course prefix, number and full title</i></div> <div style="width: 45%;"><i>Proposed course prefix, number and full title, if changing</i></div> </div> <hr/>		
2. Additional Course Designations: check if appropriate ___ This course is also proposed as a Liberal Studies Course. ___ Other: (e.g., Women's Studies, Pan-African) ___ This course is also proposed as an Honors College Course.		
3. Program Proposals ___ New Degree Program ___ Program Title Change ___ Other ___ New Minor Program ___ New Track ___ Catalog Description Change ___ Program Revision		
<hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"><i>Current program name</i></div> <div style="width: 45%;"><i>Proposed program name, if changing</i></div> </div> <hr/>		
4. Approvals		
Department Curriculum Committee Chair(s)	<i>[Signature]</i>	Date 1-15-03
Department Chair(s)	<i>[Signature]</i>	1-15-03
College Curriculum Committee Chair	<i>[Signature]</i>	3-26-03
College Dean	<i>[Signature]</i>	28 APR 03
Director of Liberal Studies *		
Director of Honors College *		
Provost *		
Additional signatures as appropriate: (include title)		
UWUCC Co-Chairs	<i>[Signature]</i>	4/22/03

* where applicable

NEW SYLLABUS OF RECORD

I. Catalog Description

HMGT 335 Legal Issues in Hospitality

3 credits
0 lab hours
3 credit hours
(3c-0l-3cr)

Prerequisites: HMGT 256

Examines the concepts and issues pertaining to hotel and restaurant law, government regulations and their impact on the hospitality industry. Special emphasis is placed on innkeeper-guest relationship, employee relations, food laws and liability, liquor law and liability and guest rights.

II. Course Objectives:

The student will be able to:

1. describe the development of rules regarding the rights and liabilities of innkeepers under the common law system.
2. explain the impact of contract law, tort law, and negligence law on the hotelkeeper.
3. identify the hotel's various obligations to protect its guests including accommodations, privacy, property, and safety.
4. discuss all Federal, various State laws, and local laws affecting hospitality properties.
5. identify the general state restrictions typically placed on food service operations and on operations licensed to sell alcohol for on-premises consumption.
6. discuss characteristics of Federal, State, and Local taxes and their impact on the the hospitality operation.
7. describe laws pertaining to the hospitality operation's human resource component.

III.

Course Outline

1. The Common Law Basis for Laws Governing the Hotelkeeper (1 hour)
 - A. Common law
 - B. State court decisions
 - C. Federal court decisions
 - D. Defining hotels, motels and inns

2. The Hotelkeeper and the Law of Contracts (2 hours)
 - A. Introductions
 - B. Definition of a contract
 - C. Express and implied contracts
 - D. Bilateral and unilateral contracts
 - E. Void and voidable contracts
 - F. Unenforceable contracts
 - D. Statutes of limitation

3. Hotelkeeper and the Laws of Torts and Negligence (1 hour)
 - A. Definition
 - B. Contributory negligence rule
 - C. Recent legal developments

4. Hotel's Duty to Receive Guests and Right to Refuse Guests (1 hour)
 - A. Duties
 - B. Rights
 - C. Critical issues

5. Guest Reservations (1 hour)
 - A. Form and effect of agreement
 - B. Guest lawsuits for damages
 - C. Laws on overbooking

6. Convention and Group Contracts with the Hotel (1 hour)
 - A. Convention contract format
 - B. Special event insurance
 - C. Recent legal issues

7. Guest's Right to Privacy (1 hour)
 - A. Legal implications
 - B. Recent case examples

8. Hotels Right to Evict a Guest, Tenant, or Restaurant Patron (2 hours)
 - A. Distinction between guest and tenant
 - B. When and how a hotel can evict a guest
 - C. Eviction of persons other than guests
 - D. New state laws on eviction
 - E. Exam

9. American With Disabilities Act (1 hour)
 - A. Public Accommodations
 - B. Coverage
 - C. Hospitality Implications

10. Hotel's Duty to Protect Guests (1 hour)
 - A. Reasonable care rule
 - B. Acts of hotel employees
 - C. Acts of guests and patrons
 - D. Assault by third parties in restrooms
 - E. Assault by third parties in hotel parking lots
 - F. Acts by third parties at hotel entrances
 - G. Educating the public in traveler's safety

11. The Hotel's Liability Regarding Guests' Property (1 hour)
 - A. State statutes limiting liability
 - B. Unclaimed property
 - C. Liability for handling mail for hotel guests
 - D. Liability for automobiles of guests and others

12. The Hotel's Liability for Loss of Property of Non-Guests (1 hour)
 - A. General nature of liability
 - B. Bailment for non-guests
 - C. Hotel liability for restaurant patrons' property
 - D. Hotel defenses to liability claims

13. Safekeeping Facilities (1 hour)
 - A. Guests' valuables
 - B. Posting notices
 - C. Statutory limits on hotel's liability when hotel's negligence is alleged as cause of loss

14. **Fraud Committed Against Hotels and Crimes of Trespass** (1 hour)
A. Crimes against hotels
B. How hotels can take advantage of criminal statutes
C. Caveats on detention of guests
15. **Deceased Guests** (1 hour)
A. Disposition of property of deceased guest or patron
B. Role of public administrator and police department
16. **General Laws Regarding Food** (2 hours)
A. Federal laws regarding food
B. State and local laws regarding food
C. General liability for unwholesome foods
D. Warranties
E. Uniform commercial code
F. Strict liability
17. **Other Laws Relating to Food Service** (2 hours)
A. Truth-in-menu laws and labeling
B. Recent legal developments
C. Exam
18. **State Laws Relating to Alcoholic Beverages** (2 hours)
A. General nature of control by state
B. Application for and issuance of licenses
C. General restrictions on licensees
D. Liability under state Dram Shop Acts
E. Common law liability for serving alcoholic beverages to intoxicated persons
F. Hours and premises of sale
G. Books and records
H. Important warnings.
19. **Wage and Hours Laws Applicable to Hotel Employees** (1 hour)
A. Coverage of Federal and State laws
B. Minimum wage rates under Federal law
C. FICA and FUTA taxes
D. Meals And Lodging
E. Uniform maintenance
F. Student employees

20. The Family And Medical Leave Act (1 hour)
- A. Covered employees and eligible employees
 - B. Leaves of absence for eligible employees
 - C. Health benefits during leave
 - D. Prohibitions for employers
 - E. Spouses employed by the same employer
 - F. Employee transfers to alternative positions
 - G. Employer penalties for non-compliance
21. Laws Against Discrimination In Employment (1 hour)
- A. Federal and State laws
 - B. Types of discrimination
 - C. Affirmative Action programs
 - D. Civil Rights Act of 1991
 - E. Sexual harassment of employees
 - F. ADA
22. Use Of Lie Detector Tests By Hotel Management (1 hour)
- A. Employee Polygraph Protection Act of 1988
 - B. How lie detectors function
 - C. Cautionary notices
23. National Labor Relations Act (1 hour)
- A. Rights of employees
 - B. Employee elections
 - C. Unfair labor practices
 - D. "Right-to-Work" laws
24. Immigration Reform and Control Act of 1986 (1 hour)
- A. Verification of employee eligibility
 - B. Penalties
 - C. Anti-discrimination provisions
25. Federal Taxes (2 hours)
- A. Federal Insurance Contributions (FICA)
 - B. Federal Unemployment Tax Act (FUTA)
 - C. State unemployment insurance programs
 - D. State laws on worker's compensation
 - E. Federal income tax
 - F. Determination of wages
 - G. Withholding penalties
 - H. Deposit of tax
 - I. Returns and payment of tax

- J. Tip reporting requirements
- K. Federal liquor taxes
- L. State taxes
- M. Exam

- 26. Maintenance of Guest Registers (1 hour)
 - A. Examination of guest registers and records by attorneys and others
 - B. Election laws
 - C. Key management protocols

- 27. Consumer Protection Laws Affecting Hotels (1 hour)
 - A. The Federal Truth-in-Lending Act
 - B. State laws on credit reporting
 - C. Consumer contracts
 - D. Catering contracts
 - E. Posting of rates
 - F. No smoking laws

- 28. Public Health and Safety Requirements (1 hour)
 - A. Building codes
 - B. Hotel linens, towels and glasses
 - C. Water supplies, sewage systems and drainage
 - D. Contagious diseases
 - E. Swimming pools
 - F. Laws regarding aid to choking victims
 - G. Occupational Safety and Health Act

- 29. Telephone Service and Resale Rights (1 hour)
 - A. Resale of interstate and international telephone service
 - B. Intrastate calls
 - C. Coin-box telephones

- 31. Copyright Laws for Music, Television, Video, and Movies (1 hour)
 - A. General rules
 - B. Copyright associations
 - C. Exemptions under Copyright Law of 1976
 - D. Unauthorized interception of cable television broadcasts
 - E. Videodisc and videocassette movies

32. Fire Safety Laws (1 hour)
- A. Federal laws: OSHA
 - B. State and local fire legislation
 - C. Federal Fire Safety Act
 - D. Court cases
33. Warranties And Product Liability (1 hour)
- A. Warranties
 - B. Federal laws on product liability
 - C. State laws on product liability
34. Antitrust Laws and Hotels (1 hour)
- A. Purpose
 - B. Major anti-trust statues
 - C. Requirements of an "Agreement"
 - D. Penalties for violation of Anti-Trust Laws
 - E. Application of Anti-Trust Laws
35. Understanding Franchising (1 hour)
- A. What is franchising
 - B. Franchise contract
 - C. Federal trade regulations
 - D. Hotel management contracts
36. Internet (2 hours)
- A. Regulations
 - B. Hospitality legal implications
 - C. Use codes and employee manuals
 - D. Future legal considerations
 - E. Exam
37. Culminating Activity (2 hours)

IV. Evaluation Methods

A. The final grade will be determined as follows:

50% Four examinations: true/false, multiple choice, matching, short answer, essay. Ten chapter quizzes: true/false, multiple choice, short answer, essay.

15% Current Legal Issues Critiques: require student to procure article in trade publication dealing specifically with hospitality legal issue. Student summarizes article, cites sources and offers opinion regarding issue.

35% Workshops: apply course information and principles to various case studies and legal simulation studies.

V. Example Grading Scale:

90- 100	-	A
80-89	-	B
70-79	-	C
60-69	-	D
0-59	-	F

VI. Attendance Policy

As student learning is enhanced by regular class attendance and participation in class discussions, the instructor encourages regular class attendance. The attendance policy of the instructor recognizes students' needs to miss class because of illness or personal emergency.

VII. Required Textbook

Jeffries, Jack P. and Brown, Banks, Understanding Hospitality Law, 4th edition, American Hotel and Lodging Institute, Lansing, Michigan, 2001.

VIII. Special Resource Requirements

Students should have access to a computer in order to reference hospitality industry trade journals.

IX.

Bibliography:

Barth, Stephen, Hospitality Law: Legal Issues in the Hospitality Industry, John Wiley & Sons, New York, New York, 2001.

Barth, Stephen, Restaurant Law Basics, John Wiley & Sons, New York, New York, 2000.

Cournoyer, Norman, Marshall, Anthony, Hotel, Restaurant and Travel Law, A Preventative Approach, 6th edition, Delmar, Albany, New York, 2002.

Schuman, A., Food Safety Law, National Restaurant Association, Chicago, Illinois, 2001.

Sherry, John, Legal Aspects of Hospitality Management, 2nd edition, American Hotel and Lodging Association, Washington, D. C., 2001.

Course Analysis Questionnaire

Section A: Details of the Course

A1. How does this course fit into the programs of the department? For which students is the course designed? (majors, students in other majors, liberal studies). Explain why this content cannot be incorporated into an existing course.

The Legal Aspects of Hospitality Management course is designed for Hospitality Management majors. This course introduces students to the specific concepts and issues pertaining to hotel and restaurant law, government regulations and their impact on the hospitality industry. This course is essential in preparing our students for the litigious hospitality industry in which they are entering. Due to the extraordinary amount of information and data, this course cannot be incorporated into another course.

A2. Does this course require changes in the content of existing courses or requirements for a program? If catalog descriptions of other courses or department programs must be changed as a result of the adoption of this course, please submit as separate proposals all other changes in courses and/or program requirements.

The course does not require any changes in the content of existing courses. The course will become a required course in the proposed curriculum change.

A3. Has this course ever been offered at IUP on a trial basis (e.g. as a special topic) If so, explain the details of the offering (semester/year and number of students).

In the proposed format, this course was offered Summer II, 2002 as a special topics course.

A4. Is this course to be a dual-level course? If so, please note that the graduate approval occurs after the undergraduate.

This course will not be offered as a dual level course.

A5. If this course may be taken for variable credit, what criteria will be used to relate the credits to the learning experience of each student? Who will make this determination and by what procedures?

This course will not be offered as a variable credit course.

A6. Do other higher education institutions currently offer this course? If so, please list examples (institution, course title).

- a. Conrad Hilton School of Hotel and Restaurant Management, University of Houston: Hospitality Industry Law
- b. Purdue University: Hospitality and Tourism Law
- c. Michigan State University: Hospitality Business Law
- d. Pennsylvania State University: Legal Aspects of the Hospitality Industry
- e. Florida International University: Law as Related to the Hospitality Industry

7. Is the content, or are the skills, of the proposed course recommended or required by a professional society, accrediting authority, law or other external agency? If so, please provide documentation.

No professional society, accrediting authority, law or other external agency recommends the content or skills of this course.

Section B: Interdisciplinary Implications

B1. Will this course be taught by instructors from more than one department or team taught within the department? If so, explain the teaching plan, its rationale, and how the team will adhere to the syllabus of record.

This course will be taught by one instructor.

B2. What is the relationship between the content of this course and the content of courses offered by other departments? Summarize your discussions (with other departments) concerning the proposed changes and indicate how any conflicts have been resolved. Please attach relevant memoranda from these departments that clarify their attitudes toward the proposed change(s).

The content of this course does not conflict with the content of courses offered by other departments.

B3. Will this course be cross-listed with other departments? If so, please summarize the department representatives' discussions concerning the course and indicate how consistency will be maintained across departments.

This course will not be cross-listed.

B4. Will seats in this course be made available to students in the School of Continuing Education?

Students from the School of Continuing Education may register for this course.
Section C: Implementation

C1. Are faculty resources adequate? If you are not requesting or have not been authorized to hire additional faculty, demonstrate how this course will fit into the schedule(s) of current faculty. What will be taught less frequently or in fewer sections to make this possible? Please specify how preparation and equated workload will be assigned for this course.

No additional faculty resources will be required.

C2. What other resources will be needed to teach this course and how adequate are the current resources? If not adequate, what plans exist for achieving adequacy? Reply in terms of the following:

- *Space
- *Equipment
- *Laboratory Supplies and other Consumable Goods
- *Library Materials
- *Travel Funds

Current classroom space and equipment available on campus are sufficient for this course.

No additional laboratory supplies or consumable goods will be needed.

Current library materials are acceptable.

No travel funds will be needed for this course.

C3. Are any of the resources for this course funded by a grant? If so, what provisions have been made to continue support for this course once the grant has expired? (Attach letters of support from Dean, Provost, etc.)

No resources for this course are being funded by a grant.

C4. How frequently do you expect this course to be offered? Is this course particularly designed for or restricted to certain seasonal semesters?

It is anticipated that this course will be offered once a year.

C5. How many sections of this course do you anticipate offering in any single semester?

One section will be offered each year.

C6. How many students do you plan to accommodate in a section of this course? What is the justification for this planned number of students?

The enrollment in the course will be limited only to the number of available seats in the classroom.

C7. Does any professional society recommend enrollment limits or parameters for a course of this nature? If they do, please quote from the appropriate documents.

No professional society recommends enrollment limits for this course.

C8. If this course is a distance education course, see the Implementation of Distance Education Agreement and the Undergraduate Distance Education Review Form in

Appendix D and respond to the questions listed.

Section D: Miscellaneous

Include any additional information valuable to those reviewing this new course proposal.

Part III.

Letters of Support or Acknowledgement

Attached.

IUP WebMail - HRIM Curriculum Revision

Delete File Create Reply Reply All Forward Previous Next Options Index Help

Date Sent: Thursday, December 05, 2002 12:07 PM

From: "Stephen B Shiring" <sshiring@iup.edu> [Add to Address Book](#)

To: affaneh <affaneh>

Cc: jmilller <jmilller>

Subject: HRIM Curriculum Revision

Status: Urgent New

﻿December 5, 2002

Ibrahim Affaneh (affaneh)
Chairperson, Finance and Legal Studies Department

The faculty of the Department of Hotel, Restaurant, and Institutional Management have evaluated our curriculum in preparation for a program revision and will no longer require BLAW 235 Business Law as a program component. The basis for this decision is that our accrediting agency, the Accreditation Commission for Programs in Hospitality Administration, requires that acquired competencies in the subject area of legal issues be hospitality-specific. As the course BLAW 235 Business Law does not provide such hospitality-specific information, it is no longer required.

Please contact me if you have any further questions.

Dr. Stephen B. Shiring
Chairman
Department of HRIM



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