

Strategies for Teaching Hospitality law

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Bad Lawyer Joke

Q: What do you call a lawyer with an IQ of 100?

A: Your Honor.

Q: What do you call a lawyer with an IQ of 50

A: Senator.

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Questions to Ponder

1. What are some creative assignments you might use to “teach” the law in your non-law classes?
2. What other creative in-class activities can help relate the material to the students.

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Overview

- My Philosophy
- The Environment
- Core topics
- Strategies

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Hospitality Law

- Can you think of an activity that a food service manager regularly does that does NOT have a legal dimension?
- Barth (2012) indicates that 60% - 70% of management decisions have a legal dimension.

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My Philosophy

- A thorough theoretical understanding of the origins of the law
- Practically apply the basic legal theory and prevention techniques
- Develop critical analysis and thinking processes.

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My Philosophy

- Understand how to be an effective client of a lawyer.
- Understand how lawyers and judges analyze situations apply the law to them.

My Philosophy

- The law is constantly evolving
- Students need to leave knowing where to look for change and who tracks them.



The Environment

- Hospitality Law is a 600-level course
- Hospitality students only
- I am not a lawyer

The Environment

- Approximately 60 – 75 students per class
- Convincing skeptics for the need to study law
 - Initial Interest is low; 2.7 (5 point scale)
 - Most students cannot fathom the idea of law being interesting.
 - Students generally associate “law” with memorization, not application.

Core Topics



Core Topics

- Areas of law to address
- General or detailed approach
- Applied law vs. pure law
- U.S. vs. State Law

Core Topics

- **Students should know:**
 - the basic name of law that applies
 - how it applies
 - how to prevent it

Core Topics



Strategies

- **Make the students the defendant**
- **Relate it to what THEY see in operations**
- **Personal Experience**
- **Previous cases**
- **Case Presentations**

Students = Defendant

- **Food Safety**
- **By making one student the defendant – what have you just forced all the other students to become?**
- **Standard of Care is not sufficient**

Personal Experience

- **It won't happen to us/me**
- **Show students it will impact their career**

Personal Experience

- **Department of Labor**
- **FMLA Lawsuit**
- **Sexual Harassment**
- **Slip and Fall**

Relate to Students



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Relate to Students



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Relate to Students



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- Broadcast Music Incorporated (BMI)
- The American Society of Composers, Authors, and Publishers (ASCAP)
- La Asociación de Compositores y Editores de Música Latinoamericana (ACEMLA)

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Relate to Students

FBI WARNING



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Relate to Students



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Relate to Students

Martinis

- 3 ounces vodka or gin
- 1 ounce dry vermouth
- Olive

Stirred over ice and served

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The screenshot shows a search results page for 'Martini & Cocktail Glasses, Type : Martini Glass'. It lists several product options with prices and 'Add to Cart' buttons. The products include Libbey 7112 VHS \$14.50 for 12, Libbey 7218 VHS \$14.50 for 12, Libbey 8455 CMA \$14.50 for 12, and Libbey 8878 \$14.50 for 12.

Relate to Students

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

A citizen or national of the United States
 A lawful permanent resident (Alien F/A)
 An alien authorized to work in the U.S. (Alien F or Admission F)

Employer's Signature: _____ Date (month-day-year): _____

Preparer and/or Translator Certification. To be completed and signed if Section 1 is prepared by a person other than the employee. I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer/Translator's Signature: _____ First Name: _____
 Address (Street Name and Number, City, State, Zip Code): _____ Date (month-day-year): _____

Section 2. Employer Review and Verification. To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number and expiration date, if any, of the document(s).

	OR	LIST B	AND	LIST C
Document title:				
Issuing authority:				
Document #:				
Expiration Date (if any):				
Document #:				
Expiration Date (if any):				

CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that

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Relate to Students

- **I-9 Form fines:**
 - Missing forms are penalized at around \$800 per form plus around \$1,500 per form for a knowing employment violation
 - Major problems usually result in fines of between \$600 and \$800 per form.

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Previous Cases

- Its all about how you present the details...
- Create disagreement among the class
- Debate, debate, debate
- Play devils advocate

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Liebeck v. McDonald's Restaurants



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JUSTICE FOR ALL?

The True STELLA AWARDS

Honoring real cases of GREEDY OPPORTUNISTS, FRIVOLOUS LAWSUITS, and the LAW RUN AMOK

Randy Cassingham
Creator of ThisIsTrue.com and StellaAwards.com

A golden trophy with a coffee cup on top, surrounded by stacks of gold coins. The base of the trophy says "STELLA AWARDS.COM".

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Jury Sends Message

Local Woman Wins \$2.9 Million Over Burning-Hot Coffee

By Susanne Burke
JOURNAL STAFF WRITER

A small black and white photograph of Estelle Liebeck sitting in a courtroom.

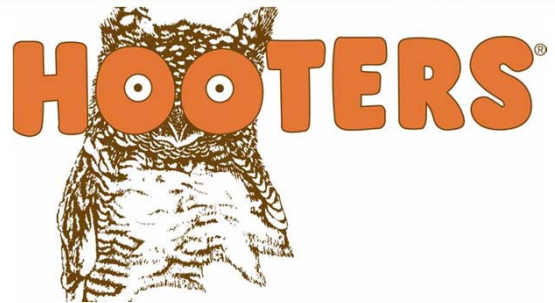
y says coffee was too hot

up to her. She was in the hospital for several weeks. She had to have skin grafts. Her legs, Liebeck had BURNS a result of her injuries. She says McDonald's coffee is so hot it can burn at 180 degrees in the degree of the coffee is actually a scalding liquid.

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Sexual Discrimination

- A lawsuit alleging sexual discrimination against men by Hooters was filed in 1991..
- ...and 1994
- ...and 1997
- ...and 2009.

Sexual Discrimination

- BFOQ
- All were settled outside of court...
 - "agreed to open three gender-neutral positions... One is a staff position on the floor, where a male would perform some of the same duties as women. Also, the host position, where a female greeted and seated the people, and a bar-support position for a male that will assist the female bartender."

Case Presentation

- Student should be able to read and understand the writing of a lawyer.
- 20 minute presentation about a past case
- Focus of the presentation - what can we learn from cases of the past.

Case Presentation

- Case background
- Main arguments
- Questions for and discussion with the class
- Questions of fact by the jury
- Laws applied case and your interpretations
- Survey the class about the verdict
- The final verdict
- Managerial do's and don'ts learned from the case

Case Presentations

- Free search engines
 - Findlaw.com
 - Openjurist.org
 - LexusNexus

Case Presentations



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Questions??

