

HOSPITALITY LAW

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Week 13: Safety and Security Issues



Express Web Desk (2021), 26/11 Mumbai terror attacks: A brief timeline,
<https://images.indianexpress.com/2021/09/taj-800.jpg?w=640>



JOSEPH MWIHIA (2019), Al-Shabab terrorists claim Nairobi hotel attack as death toll rises to 15, <https://static.timesofisrael.com/www/uploads/2019/01/AP19015696754311-640x400.jpg>

THE IMPORTANCE OF A PROTECTED ENVIRONMENT

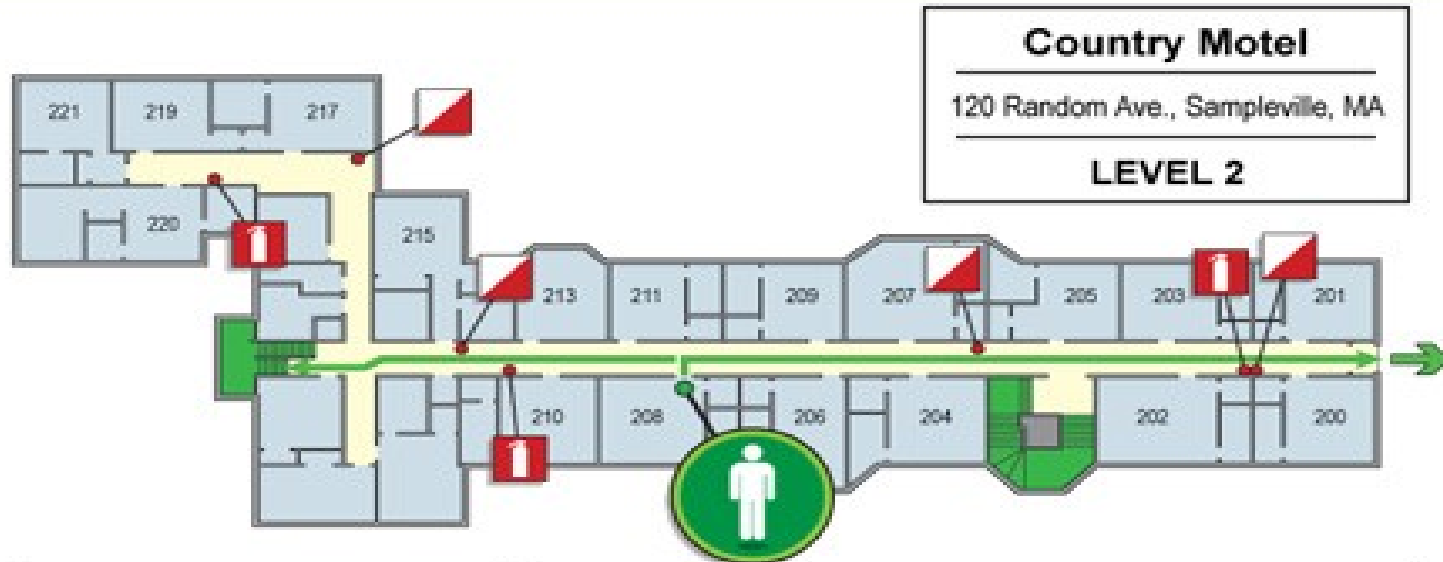
- ❑ As you have seen in previous chapters, you are responsible for taking reasonable care that people are not hurt when they enter or stay in your establishment, and for ensuring that their possessions are safe during their stay

- The courts will not expect you to protect everyone who comes into contact with your operation against all possible calamities.

- They will, however, expect you to use good judgment in carrying out the procedures necessary to show you care about the well - being of your guests, employees, and visitors, as well as the security of their property

Safety and Security Management

EVACUATION PLAN



Country Motel
120 Random Ave., Sampleville, MA
LEVEL 2

IN CASE OF FIRE

1. Activate fire alarm.
2. Evacuate the building.

LEGEND

	You Are Here		Fire Extinguisher
	Emergency Exit		Fire Alarm Pull Station
	Evacuation Route		

- As the manager of your facility, you will be responsible for a large number of activities designed to protect people and property. All of these activities can be grouped under the commonly used terms of safety programs and security programs.

- Effective managers may implement several **different policies, procedures, and training programs** that together make up a comprehensive safety and security program.

ANALYZE THE SITUATION 13.1

- MR. AND MRS. ANGELO WERE FREQUENT DINERS at the Buffet World restaurant, a moderately priced operation that featured an all-you-can-eat lunch and dinner buffet. Jessie Carroll was the manager of the restaurant.

- On a busy Sunday, Mr. and Mrs. Angelo entered the restaurant, paid for their meal, and were directed to their table by the dining room greeter. As Mrs. Angelo sat down, **the wooden dining room chair snapped under her weight**

- Her neck was injured as she fell on the restaurant's tile floor. The Angelos **sued Buffet World, charging negligence in the operation of the restaurant**

- Their attorney argued that the normal wear and tear of chairs was a foreseeable event, and thus an inspection program should have been in place. No such program could be shown by the restaurant to have existed

- The attorney for the restaurant countered that Mrs. Angelo was “**larger**” than the average guest, and therefore Buffet World could not have foreseen that she would be seated in a chair that was not capable of holding her weight

- The restaurant's attorney also noted that Buffet World had never experienced a problem like this before

Your comments.....!

- Is Mrs. Angelo's weight a relevant issue in her case against the restaurant?

- What evidence could the restaurant have provided to its attorney to demonstrate **reasonable care in the inspection of its dining room furniture?**

Crisis Management

- There are many **types of circumstances** that have the potential to cause devastating damage to a hospitality operation.
- These are called **crisis situations**

Examples include:

- Power outages ,Vandalism ,Arson/fire ,Bomb threats Robbery, Looting

Severe storms, including:

- Hurricanes, Tornadoes, Earthquakes,
Floods, snow

Others:

- Accident/injury ,Drug overdose ,Medical emergency, Death/suicide of guest or employee , Civil disturbance

Advantages of Preplanning

- By preplanning for certain types of accidents and events, you will be able **to minimize the possibility of injury or loss, demonstrate reasonable care,** and show a jury that you were able to foresee a potentially dangerous situation

These advantages are:

- Improved employee morale
- Improved management image.
- Improved employee recruiting effectiveness.

- Reduced insurance rates
- Reduced employee costs.
- Reduced penalty costs for violations
- Increased guest satisfaction.

Four step safety and security Management Method

- Recognition of threat
- Program development (response to threat)
- Program implementation
- Monitoring program results

Areas of Safety and Security Concern

Guests

Parking lots
Guestrooms
Public areas
Dining rooms
Bars and lounges

Guest Property In

Coatrooms
Guestrooms
In-room safes
Parking lots
Safety deposit boxes

Employees

Work site safety

Workplace violence

Worker accidents

Employee locker rooms

Facility Assets

Cash and cash equivalents

Operating supplies

Food inventories

Beverage/mini-bar inventories

Vending income/equipment

Telephone access

All People and Property

Medical emergency

Criminal activity

Natural disaster

Utility outages

STEPHEN BARTH (2009), Hospitality Law: Managing Legal Issues in the Hospitality Industry , p 402 , Figure 14.2 Areas of safety and security concern, <https://www.pdfdrive.com/hospitalty-law-managing-legal-issues-in-the-hospitality-industry-e157128399.html>

CRIMES AGAINST HOSPITALITY BUSINESSES

- Most of our discussion so far has centered on the protection of guests and employees from outside threats, but hospitality managers also need to be aware of **threats and criminal activities aimed directly at their own operation.**

The three **most common threats** are:

- ✓ Consumer theft of services
- ✓ Fraudulent payment
- ✓ Internal theft of assets

CRISIS MANAGEMENT PROGRAMS



Ellen Meyer (2018), Crisis Management, https://lodgingmagazine.com/wp-content/uploads/2018/12/lodging_crisismanagement_finish.jpg

1. Precrisis Planning

- Emergency Plan Development :
- **Example:** emergency telephone number, emergency alarm installation, fire evacuation procedures, emergency cover areas

2. Crisis Response

- ✓ Management response
- ✓ Staff response
- ✓ Guest response
- ✓ Media relations

3. Postcrisis Assessment

- STEM

ANALYZE THE SITUATION 13.2

- IRVING NASH MANAGED A 24 - HOUR TABLE - SERVICE RESTAURANT that specialized in breakfast items. Lendal Ketchar, a customer, arrived at the restaurant at approximately 2:00 a.m. one morning.

- Upon entering the restaurant, Mr. Ketchar tripped over the curb alongside the sidewalk and broke his hip. Because Mr. Ketchar was a city councilman, the incident was reported in the local paper.

- Mr. Nash was interviewed extensively about the cause of the accident. He specifically mentioned to reporters that the curb **had not been painted bright yellow as a warning to guests, nor were lighting levels very high at the entrance area** where Mr. Ketchar fell

- Mr. Nash later read the interviews and shared them with **his two assistant managers**. Both suggested that the restaurant paint the curb area, install additional lighting, and inform the media that these actions were undertaken.

- Mr. Nash ' s boss vetoed this idea, however, stating that any action such as painting the curb and installing better lighting could **imply previous negligence on the part of the organization and thus could increase the organization ' s potential legal liability.**

Your comments:.....!

- Which factors would influence the potential liability of Mr. Nash ' s restaurant for the accident?

- What effective safety and security programs could be undertaken **to limit legal liability** if Mr. Nash is required to follow the advice of his boss?

References

[1] STEPHEN BARTH (2009), Hospitality Law: Managing Legal Issues in the Hospitality Industry , p 327- 352 ,<https://www.pdfdrive.com/hospitalty-law-managing-legal-issues-in-the-hospitality-industry-e157128399.html>

[2] Jaswinder Singh Safety & Security Concerns in Hospitality Industry, <https://www.researchpublish.com/upload/book/Safety%20and%20Security%20Concerns%20in%20Hospitality-639.pdf>

Thank you!

Last lecture: Managing Insurance

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