

**HOTEL,  
RESTAURANT**  
*and*  
**TRAVEL LAW**

**A Preventive Approach**

**FIFTH EDITION**

**Norman G. Cournoyer  
Anthony G. Marshall  
Karen L. Morris**

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# **HOTEL, RESTAURANT, AND TRAVEL LAW:**

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## **A PREVENTIVE APPROACH**

**Fifth Edition**

**Norman G. Cournoyer**

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# PREFACE

*Hotel, Restaurant, and Travel Law: A Preventive Approach*, Fifth Edition, focuses on *prevention* as the means to minimize the number of lawsuits a hospitality establishment experiences. While it is true that good hospitality management means satisfying patrons and guests, it also encompasses protecting the business from the kinds of accidents, attitudes and incidents that can lead to legal cases. Most lawsuits can be prevented if management and staff are properly trained to recognize potential pitfalls and to guard against them. Throughout the five editions of this book one of the authors' primary objectives has always been to arm future industry personnel with the legal knowledge needed to prevent lawsuits against their companies.

## **Revised for Clarity and Critical Thinking**

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This fifth edition has been revised and updated to make this complex subject more approachable and understandable for students. We think this edition is a better tool for the development of critical thinking skills in managers—skills needed to adapt to the contemporary legal environment which includes new laws and regulations, high expectations by patrons, and many legal rights of employees. For example, this edition includes the following:

- A **new chapter** on casinos presents students with the law applicable to this fast-expanding addition to the hospitality industry.
- **The text** presents plain-English explanations of essential legal concepts. Also, each chapter includes many subtopics. The effect of both is to enable students to easily read and comprehend the material.
- **Case questions** engage readers at the end of most case examples, drawing together practices and principles.
- **End-of-chapter questions** expand review and discussion and add the challenge of applying legal principles to business situations.

## **Training Intelligent Management**

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This book is not intended to train students to be lawyers. Its goal is to enable managers to understand the law as it relates to the hospitality industry, to appreciate how a legal case proceeds in the courts, and to engage their lawyers more intelligently. It is important that managers recognize the legal ramifications of the policy and practices of their businesses and be able to apply legal principles to everyday operations. Without this knowledge and ability, avoidable accidents and illegal conduct will go unabated resulting in unfortunate and preventable lawsuits.

The book gives managers a base of expertise on which to build and includes the following:

- **Clearly defined legal terms** help students understand the important principles when they are first introduced, and to apply them to the cases we present and the law they are learning.
- **“Preventive Law Tips for Managers”** recast the main points of each chapter as review and practical advice.

## **Profiting from Real-World Experience**

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Above all, this book provides its readers with the opportunity to profit from the experience of others through the careful study of real lawsuits that resulted from mistakes of hotel and restaurant managers working in the field.

- **Case examples** detail recent legal situations and the reasoning of the courts. The examples present principles, facts, reasoning, and in-text case questions concisely to focus students on the most important lessons from each case.
- **Updated coverage** strengthens understanding of employment law, the Americans With Disabilities Act, sexual discrimination, other civil rights issues, negligence, dram shop liability and casino operations.

## **Organization**

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The fifth edition of *Hotel, Restaurant, and Travel Law* is organized in four units:

Unit 1, **Legal Fundamentals for the Hospitality Industry**, presents the sources and principles of hospitality law, basic court procedures, civil rights issues, and contract law.

Unit 2, **Negligence**, presents the legal principles relevant to this topic and many cases that help define the scope of obligations and liability.

Unit 3, **Relationships with Guests and Other Patrons**, explores the special obligations that hospitality businesses have to their different publics, and the obligations individuals owe those businesses, as well.

Unit 4, **Special Topics**, addresses food and alcohol liability, travel agent relationships, employment issues, franchising, copyright and trademarks, licensing, and casino law.

## **Supplementary Materials**

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The *Instructor's Guide* contains answers to the end-of-chapter questions, answers to in-text case questions, case briefs, and transparency masters.

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Dr. Morris is the legal advisor to the New York State Restaurant Association, Rochester Chapter, and a past president of the Greater Rochester Association for Women Attorneys. She has also served as president of Alternatives for Battered Women, Inc., an organization that operates a shelter and administers support services. Her favorite volunteer activity is being a Big Sister in the Big Brother program.

Before becoming a professor, Dr. Morris was in-house counsel for a corporation that operates department stores throughout the United States, and thereafter a criminal prosecutor.

She has a Juris Doctor degree from St. John's University and a Masters of Law (LL.M.) in Trade Regulation from New York University.



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