



## Conference Attracts Industry-Focused Lawyers And Hospitality Leaders

Insights

3.02.15

Fisher Phillips lawyers joined hundreds of industry executives, lawyers, and security experts in Houston for the 13<sup>th</sup> Annual Hospitality Lawyer Conference. The three day conference featured general sessions and workshops aimed at the most pressing legal issues in the hospitality field from management agreements, to food and beverage liability, to labor and employment matters. Lawyers from our Hospitality Industry Practice group contributed content and support to the program. The firm is a Champion-level sponsor of the event and, in addition to providing speakers, hosted a wine reception which featured a local Texas winemaker.

I moderated a panel which addressed the challenges of unwinding the owner-management relationship. The panel discussed the practical and legal challenges that occur when a management agreement ends, including signage, trademarks, terminating and hiring employees, transfer of documents, guest information, and contracts.

Steve Roppolo and Annie Lau participated in Human Resources Roundtables. Annie focused on appearance policies in a session called “Tattoos, Haircuts and Head Coverings: How Far Can You Go?” She discussed the practical and legal challenges of developing and implementing an appearance policy in today’s diverse environment. Steve provided insight into how hospitality employers should handle policy changes related to electronic cigarettes and vaping in a presentation on “The E-Cigarette: Navigating Uncharted Territory.”

Other programs focused on a wide range of employment law issues. One session highlighted the various state and local legislation and campaigns aimed at increasing the minimum wage and the impact on certain hospitality jobs. Hospitality employers should keep a close eye on a lawsuit filed in Los Angeles, where two national hotel-industry groups (the American Hotel and Lodging Association and the Asian American Hotel Owners Association) filed a federal lawsuit in December 2014 against the city of Los Angeles, challenging a recent minimum wage increase for hospitality workers. The associations allege that the law unfairly targets the lodging business and runs afoul of federal labor law.

Another speaker dissected some of the more difficult aspects of the Family and Medical Leave Act. The session highlighted recent court cases about when and whether to designate FMLA leave even

when an employee does not want FMLA to apply and provided practical advice on providing proper FMLA notice to eligible employees and managing intermittent FMLA leave.

Legalized marijuana creates serious challenges for hospitality companies. In a session called “How the New Marijuana Laws Will Impact the Hospitality Industry,” the audience learned about options to address employees and guests who wish to use and possess marijuana on hotel property and how to adapt hotel policies to either permit or prohibit these activities.

The final day of the program featured a review of the Top 100 Hospitality Cases of 2014. Co-presenters, Judge Karen Morris, Professor of Law at Monroe Community College and Judge, and Prof. Diana Barber, of Georgia State University highlighted 100 cases impacting the hospitality industry. Almost 50% of the cases reported were employment-related lawsuits.

Fisher Phillips has worked with Stephen Barth, founder of [HospitalityLawyer.com](http://HospitalityLawyer.com) and conference host, for many years now. We congratulate him on providing attendees a quality educational experience.

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