



Services and Sectors

HOSPITALITY

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HOSPITALITY

The hospitality industry is unique. You need unique lawyers who understand the issues you face. With employees working long hours, operations often continuing 24/7, and tipping arrangements and shift assignments greatly impacting compensation, the hospitality industry has specific issues that affect the relationship between you and your employees. High turnover and the need to rapidly onboard and train employees can impact service levels and guest satisfaction. The industry has a diverse and multi-cultural workforce where English is often workers' second language and employees' religious obligations may impact scheduling and other duties. Add safety related challenges and suddenly everything is a risk to your operation. You can't afford to go with untested, generalist lawyers who don't understand the hospitality industry.

With extensive practical experience in the industry, Fisher Phillips' Hospitality team is deeply invested in your world. We are on top of the special workplace challenges you face, including complying with wage and hour, sexual harassment, and ADA accessibility laws. Our lawyers are longtime members of – and thought leaders for – industry groups including the American Hotel and Lodging Association, the National Restaurant Association, the Coalition of Franchisee Associations, and the Asian American Hotel Owners Association, along with more than 20 state and local organizations across the United States.

Team members focus on hotels, restaurants, breweries and wineries, and gaming, bringing a thorough understanding of ownership, management, and franchise structures, the various types of properties involved, and what it means when these establishments overlap. We bring an efficient, practical perspective to solve the workplace law problems particular to you.

Drawing on the firm's resources spanning the entire labor and employment law spectrum, and relationships with influential lobbyists, we help you efficiently achieve top results at cost-effective rates.

PREVENTION AND COMPLIANCE

Our lawyers live and breathe the issues specific to the hospitality industry. We don't need to do research to know that compliance means different things to hotels than it does to casinos; that a restaurant or resort owner isn't helped by lawyers who don't appreciate how tip pool regulations apply to them; and that the unique relationship between a management company and owner may impact employment situations.

Our team can help you prevent legal problems by:

- Drafting and reviewing employee handbooks and policies, including those unique to the industry such as appearance policies and English-only rules
- Creating onboarding documentation that complies with the particular requirements of your unit's location
- Auditing payroll and personnel records to make sure applicable state and federal laws are met
- Reviewing I-9 forms and procedures to ensure compliance before a surprise government inspection
- Training managers on effective techniques for hiring and firing employees, performance management and avoiding harassment claims
- Providing day-to-day advice on every aspect of workplace law.

UNION ASSISTANCE

Hospitality jobs can't be exported, making you a prime target for union organizing activities. Several labor unions have targeted your industry and are desperate to recruit new dues-paying members from your ranks. To help avoid these issues, we proactively help you create a workplace environment where employees don't see the need for a union and fend off a union organizing campaign before it gets off the ground. If such a campaign emerges, we can assist with effective workplace communication strategies. If you are already unionized, we'll help you develop and carry out productive bargaining tactics, and ensure you understand your management rights.

DEFENDING LEGAL CLAIMS

Our deep team of skilled trial lawyers has years of experience handling discrimination, retaliation, harassment, and wage and hour lawsuits, as well as defending hospitality employers in administrative matters before local, state, and federal agencies. We'll help manage overall risk, appear on your behalf before the Occupational Health and Safety Administration, the Department of Labor, the National Labor Relations Board and other agencies and employ creative negotiating techniques to resolve specific disputes, where appropriate.

Our clients include:

- Management companies
- Hotel owner operators
- Resorts and conference centers
- Multi and single unit restaurant operators
- Breweries
- Wineries
- Gaming companies
- Real estate development firms
- Vendors supporting the industry
- Travel and tourism companies

KEY CONTACTS



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With hundreds of attorneys across the globe, Fisher Phillips advises and advocates for employers internationally on some of the most complex and high-profile workplace matters. We leverage our employment experience, tech and thought leadership credentials to keep our clients ready for what's next. By understanding their business, we help them adapt faster to a faster-changing world, realize possibilities sooner and more effectively, and stay steps ahead when everything is on the line.