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Success Through
Worldwide Connection

Newsletter of the Association of College and University Clubs

November 2004

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ACUC is Headed to New Orleans!

ACUC will be heading to New Orleans, February 25 – 27th for the 28th Annual Conference. With conference just over four months away and we are looking forward to providing our members with a slate of education and networking unlike years past. Thank you to our members who provided suggestions on how to better suit our conference for the betterment of our Association. We hope you that you will be able to join us and your colleagues for a weekend of professional development geared towards the faculty and university club industry.

As with last year, ACUC's Conference will once again be held almost concurrently with the World Conference and Exposition of the Club Managers Association of America (CMAA). This means that although ACUC's Conference will be conducted separately, ACUC members will also have the opportunity to take advantage of some of CMAA's education programs, visit the CMAA Exposition and CMAA member service areas such as the Idea Fair, Bookmart and Career Services at a discounted price. Information regarding these programs will be forwarded to ACUC members at the same time as the ACUC conference brochure in late November. Additional information can be found online at www.acuclubs.org and www.cmaa.org respectively.



International House Hotel

ACUC's host hotel for conference is the International House. The International House Hotel is conveniently located two blocks from the French Quarter and near the New Orleans Marriott Hotel, the CMAA headquarters property. Touted as New Orleans' first truly boutique hotel, it offers 119 guest rooms, with spa-like bath amenities, abundant natural light, JBL stereo/CD players, two-line speakerphones with data ports and DVD service, original black and white photographs of modern, local jazz greats. The hotel features room service, and the Lemon Grass, run by celebrated local chef, Minh Bui, has emerged as one of New Orleans' best restaurants. The bar becomes a haven for those who wish to unwind after a long day. Further information regarding the hotels amenities can be found on their website at <http://www.ihhotel.com/>. All hotel reservations **must** be made directly through the CMAA's official travel company, WorldTek Travel, to receive the special discounted rates. Housing forms and travel information can be found online at www.acuclubs.org.

We encourage you to take the opportunity to participate in this annual event and encourage your colleges and club staff members to do the same. The networking opportunities are priceless! We look forward to seeing you in New Orleans!

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ACUC Web site
www.acuclubs.org

**Interested in showcasing your club on the front page of the site?
Contact ACUC at acuc@acuclubs.org for further information.**

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The Leadership Legacy

Will your leadership leave a legacy?

What tools will help your team reach their full potential?

Third in the series: The Leadership Legacy – The 12 Ingredients of the Leadership Recipe

By Ron Yudd

We explored in our last article the three C's of leadership. We discovered that the path to effective leadership at all levels of an organization begins with these three C's – communication, coaching, and celebration. We took pause to wonder about how effective the organization would be if all information was freely shared, everyone was coached in the fundamentals and exceptional performances were celebrated. We concluded that it would be the perfect environment for a leadership legacy to take hold and flourish.



After the three C's are firmly in place, the leader can then begin to prepare the recipe for creating other successful leaders in their organization. This recipe has twelve ingredients, that when mixed together and slowly simmered will produce a tantalizing, appealing, effective and inspirational leader.

Let's take a look at the ingredients of this recipe. Pretend for a moment that you are the nurturing executive chef and you will be reviewing this recipe first to prepare for yourself and then more importantly prepare for those that you are developing into future leaders.

The first ingredient is **Vision**. A vision is the picture you paint of yourself and you operation. It is the picture of exactly what you want to be and exactly what you want **your operation** to be. The effective leader lives their vision, it is always there for all to see and follow.

The second ingredient of our recipe is **Authenticity**. This simply means that the leader is genuine – they are themselves. Just like the old Coca-Cola line – they're the "real thing". They are honest with themselves and genuine with others. They first hold themselves accountable and then others.

The next ingredient is **Passion for Service**. Having a passion for service is all about giving of oneself to another – sharing your gifts with other people. It simply means that you fill the role of "servant leader" for your people. You give of yourself not just to the guest but to those that work for you also. The "take home" concept on passion for service is that people are much happier and more productive when they are sharing and giving their talents. Give your talents away and encourage other to do the same. This will create an atmosphere where a passion for service can grow.

Courage is our next leadership ingredient. Courage means that you may be afraid but you take action anyway. It means you have the guts to make a decision and not be afraid of the consequences. It involves believing in yourself to the extent that you are not afraid to make that decision, even if it isn't the most popular decision. Great leaders can survive making mistakes because they

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make decisions with conviction, sincerity and with all the facts they can gather. They have the courage to act when it is easier not to.

Selflessness is the next item on our list of ingredients. Selflessness means that you deflect praise away from yourself making sure that others receive it. Selflessness is when you don't worry about who gets the credit. The selfless leader let's their accomplishments speak for themselves.

Next it's **Share the Power**. This concept involves destroying the "get the manager policies" in the operation. This means that you allow your team to share in both the privilege and the responsibility of making decisions. The more opportunity we give our employees to make decisions on their own they more they own a piece of the success of the business. Create parameters for your employees to work within and then let them loose to perform their best. Share the power of running a successful club with all those that work there.

Next it's time to add **Give to Get**. We get better at what we do when we teach someone else how to do it. This is just like a having passion for service but it specifically involves giving away your skills and talents to others through teaching.

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Ron Yudd is an internationally recognized speaker, trainer and consultant. He specializes in profit analysis, leadership development, and building service excellence. He is often called upon to speak to managers and associates on both profit strategies and re-energizing their passion for service. He combines a motivating style with practical "take home" ideas.

Mr. Yudd is the former Director of The United States Senate Restaurants in Washington, DC. He has served in the Senate for more than 21 years and is still referred to by his associates as "The Senator of Service". During his tenure the Senate Restaurants served over 10,000 meals per day in 12 different restaurants. Sixty percent of the six million dollars in annual sales was generated from special events and catering. Ron supervised over 200 associates in the daily mission of delivering the highest quality food along with a passion for personalized service.

He currently travels the United States conducting his two-day leadership clinic entitled "The Leadership Legacy". This sought after program guides, focuses and builds confidence for both seasoned and up and coming managers and leaders.

Mr. Yudd is the author of Successful Buffet Management, an industry textbook and in 1998 he published his audio album entitled "A Passion for Service" which is being used to teach and instill a passion for service for both managers and associates. He also offers customized keynotes, seminars and workshops.

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ACUC is Headed to New Orleans

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ACUC 28th Annual Conference – Schedule of Events

Please note: All ACUC Conference programs will be held in the International House Hotel on the 2nd floor of the Conference Center. ACUC activities and programs are highlighted in BLUE.

Friday, February 25, 2005

1:30-4:00 p.m. ACUC Board of Directors Meeting

5:00-7:00 p.m. Early Registration & Social in the Cocktail Lounge

Saturday, February 26, 2005

7:00-7:45 a.m. Continental Breakfast in the Meeting Room

7:00-8:00 a.m. Registration

8:00-9:45 a.m. Welcome/Introductions/Idea Sharing

10:00-11:30 a.m. "The S.T.A.R. Within You" – Kevin MacDonald

11:45 a.m.-12:45 p.m. Luncheon

1:00-2:30 p.m. "High Performance Management in Budget-Cutting Times" - Debra Cannon, Ph.D., CHE

2:45-5:00 p.m. Idea Fair Presentations and Focused Roundtables

6:30-8:30 p.m. Opening Welcome Reception and Tee Shirt Exchange

Please bring two extra-large tee shirts from your college or university to be exchanged at this reception.

9:00-10:00 p.m. Hospitality Room Open

Sunday, February 15, 2004

7:00-7:30 a.m. Continental Breakfast in the meeting room **NOTE:** Continuous bus shuttles to the Ernest N. Morial Convention Center begin operating at 7:00 a.m. from the New Orleans Marriott Hotel, 555 Canal Street

8:00-9:30 a.m. ACUC Members attend CMAA Featured Education Speaker, Niall Flanagan, Ernest N. Morial Convention Center.

9:30-10:30 a.m. Visit the CMAA Exposition. Hall E, Ernest N. Morial Convention or between Center and the CMAA Member Services Pavilion, Preservation Hall, 2nd Floor, Marriott Hotel

11:45 a.m.-5:00 p.m. (Idea Fair exhibits, BookMart, Executive Career Services, CMAA Membership Information and Premier Club Services). Also a good opportunity to visit the International Wine Society and The Club Foundation auctions, Preservation Hall Foyer, 2nd Floor, Marriott Hotel.

10:45-11:30 a.m. ACUC Annual Meeting

11:30a.m.-1:30 p.m. ACUC Board of Directors Meeting

6:30-9:00 p.m. Group Dinner Outing

9:00-11:00 p.m. Hospitality Room Open

PLEASE NOTE: If you are staying through Monday, February 28, ACUC attendees are invited to attend the CMAA Opening Business Session held from 8:00-11:00 a.m. in the Ernest N. Morial Convention Center. The Keynote Speaker is Ronan Tynan – "Hitting the High Notes: Living Life to the Fullest." Bus shuttles will operate continuously from the New Orleans Marriott Hotel, 555 Canal Street.

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The reward for using this technique is that you actually get better at the particular skill you are teaching because you are describing, demonstrating and practicing it with others. Thus, the concept of "give to get".

The next ingredient is **Building Relationships**. The concept of building relationships is based on the premise of what you bring to the relationship not what you take away. What do you provide or give to the other person rather than what you extract from that person? Successful relationships should be based on what is shared not what is taken away.

Mix in at this point a little **Hands on Leadership**. This ingredient is all about actually getting things done. Leadership is defined as taking responsibility to get something done. How do we go about actually getting things done? All of the following come

into play – goal setting, planning, prioritizing, problem solving and organization. These are the hands on skills for taking a hold of a situation and working to get the job accomplished.

The next addition to the recipe is **Providing Hope For Others**. You are the person that has to create a safe environment for your team and provide the hope that they can succeed – that they can pull just about anything off. Providing hope means reminding others that they can make a difference and that they count in the organization.

The next ingredient is to **Be a Lifelong Learner**. This is the concept of the leader as an ever growing individual that always promotes the growth of others. Being a lifelong learner means that you look at things with fresh eyes – childlike eyes, and always be inquisitive like a small

child. Look at things in wonder and encourage others on your team to do the same. This creates the fun of learning different techniques and new ways of getting things done.

The last ingredient to our famous leadership recipe is Perseverance. Simply put this means – don't dare ever quit. It means hanging in when things get rough. It means never quitting on yourself and not quitting on others. Remember to quit is easy, to stick things out is to inspire.

Leaving a legacy of leadership means to teach and encourage at all levels of your organization. Gather the ingredients, choose the right tools, combine with care and this recipe will become your guide for creating something that you, your members and all your associates will rave about. Enjoy!

Jack Shrader Memorial Award

There is still time to prepare your application and encourage club staff members for the 2005 Jack Shrader Scholarship Award. The \$1,500 Shrader Award is presented to a club employee to assist in furthering their education through academic course work, seminars, or other practicum activities. Any employee of an ACUC member club is eligible to be sponsored for this scholarship by submitting written nominations from the Club's manager and Board President; along with the employee's own statement of career goals, planned use for the scholarship, brief biography and official application form. **Application deadline is December 31, 2004.**



Jack Shrader, former manager, Center at the University of Texas in Austin

Applications for this award can be found online at www.acuclubs.org/AwardProgs.html

Legal Newsletter

October/November/December 2004

By Stephen Barth, J.D., CHE

Disclaimer:

The Legal Newsletter is meant to inform clubs of legal issues of relevance to the private club industry. The contents are presented with no warranty, either expressed or implied, by the Club Managers Association of America or HospitalityLawyer.com. No legal responsibility is assumed for the outcome of decisions, commitments or obligations made on the basis of this information. If your club is faced with a question concerning specific legal issues, you should contact the club's legal counsel for the specific application of the law to your situation.

New Overtime Laws

QUESTION: *We have all heard about the new overtime laws taking effect, but have seen very little clear definitions of who is eligible for overtime and who isn't. Can you help?*

ANSWER: We wish we could. Unfortunately, the law is still quite confusing. It is somewhat clear that anyone that earns less than \$455 per week (projected to \$23,660 annually) is entitled to overtime (time and a half for any hours worked in excess of 40 hours in a given work week or 8 hours a day depending on the state in which your club is located). Other than that you will have to analyze each position in accordance with the government's criteria to see if it falls into an exempt category. Go to www.dol.gov/esa/regs/compliance/whd/fairpay/main.htm for further information about the exemption criteria, an electronic seminar and a sample policy.

The Club Manager's Role in Litigation

QUESTION: *I have a suspicion that the club is going to be sued by a former member. Can you tell me how things might unfold and what I need to do if it does occur?*

ANSWER: A club manager's career can be a long and winding road, filled with many circumstances and situations that school, training or prior experiences have not prepared them.

One of those times is when an incident occurs that results in a claim being made for damages. Club managers are often called upon to manage the mechanics of dealing with the notification of the claim as well the internal logistics of protracted litigation.

Accordingly, it is important the managers have an under-

standing of the litigation process and their potential role in it from the beginning to the end.

Demand Letter

Upon receipt of a demand letter (correspondence that outlines the facts of the claim and usually gives the operation and its insurance carrier an opportunity to resolve the claim prior to litigation if appropriate), turn it over to your board, insurance company and the club's attorney for advice. Follow the recommendations of the insurance company and your attorney. Be as cooperative as possible with any investigations that your insurance company or attorney may instigate.

Notification of Filing a Lawsuit

Ordinarily, a representative of the court (i.e., constable, sheriff, etc. or a private person authorized by the court) will personally hand you (or other designated representative of the club) the pleading so the court actually knows that you received it. If you are served with a pleading, you must recognize that these pleadings, and your club's obligations to respond, are time sensitive, and that you need to deliver the pleading to your attorney, making sure your insurance company gets a copy and you keep one for future reference.

Discovery

The discovery process enables each party to obtain information from the other party, which will be used as documentary evidence to help prove the facts of a case. Managers will often be asked to turn over records of their operation, repair invoices, reports, and information stored electronically. Plaintiffs (also known as claimants) often must turn over medical records and reports, doctor bills, receipts for damages, and other types of personal information. Often, a manager or staff member may be asked to prepare a personal statement during the discovery process, or even go to court and testify as a witness during the trial.

The cost of responding to discovery requests, either by testifying or preparing documents, can be a very expensive proposition for your club, not only from a financial perspective but also because of the time and disruption to your staff. Accordingly, the better organized you are at the outset of the incident, the less of a burden the discovery process will be. Work closely with your attorney during this phase and be cooperative. Be sure to meet all time limits imposed for responses, as a missed deadline can be fatal to your side of the case.

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Legal Newsletter

Trial and Appeal

Request that your attorney update you frequently about trial settings (the date the trial will commence).

Reciprocally, you need to let your attorney know about any times that you or your employees will be unavailable to testify (such as vacations, scheduled surgeries, etc.).

If your case is appealed, your involvement in the appellate process will be very minimal, if at all. This process rarely requires anything new from you that was not provided before the trial. However, you should continue to maintain your records of the case and keep track of any witnesses.

Only after you have been given permission from your attorney and/or your insurance carrier (usually after the case has settled or a final appeal has been ruled upon) should you dispose of any documents relevant to the case.

Hopefully you will never have to use this knowledge, but you will now be better prepared if the need arises.

Men's Only Dining Facilities

QUESTION: My club is considering a remodeling proposal for our food and beverage service and some of our long time male members are arguing to keep one of our outlets as "men only." Have there been any recent court decisions that we can look at to help us decide the best approach?

ANSWER: There has been a very recent decision in a Louisiana case but your male members will probably not like to hear about it. Keep in mind that a lot of factors go into a determination of whether or not a club is "truly private" and accordingly may choose to engage in discriminating behavior, that often times would be illegal in a club that is not truly private.

In the Louisiana case (Supreme Court of Louisiana No. 03-C-3413) several female members complained that they were denied their state constitutional rights to be free from "arbitrary, capricious, or unreasonable discrimination based on...sex" because the Southern Trace Country Club of Shreveport, LA (operated by Club Corp) maintained a food service area adjacent to (but not in) the men's locker room. Dubbed the "Men's Grille" it was, except on rare occasions for special events, exclusively for the use and enjoyment of male members.

The trial judge found in favor of the club ruling that even though the club was a public facility and not a private

club (based on the enumerated criteria mentioned above) that the operation and maintenance of the "Men's Grille" was not discriminatory because the action was justified due to "economic and competitive factors".

The female members appealed and the Court of Appeal reversed the trial courts decision stating that... "Economic/Market factors are not an appropriate objective where Southern Trace hoped to profit from the fact that it discriminated against women in the Men's Grille". The appellate court went on to say that concerns over privacy may well be an appropriate objective but in this case the club failed to demonstrate that it was a legitimate concern. And the court clearly stated that "male preference" in a public club "can never (emphasis added) be an appropriate objective by which to justify discrimination".

Of course, the club then appealed this decision to the Supreme Court of La. only to have the court, in a fairly lengthy opinion, uphold the Appellate Court's decision stating in its conclusion that the club violated the female member's state constitutional rights by "enacting and enforcing a men-only policy in a public dining facility."

The important point is that all three courts recognized that the "threshold question was whether or not the club was a "public facility" or a "private club." As Southern Trace was found to be a public facility the provisions of the La. Constitution applied so arbitrary, capricious and unreasonable discriminatory policies are prohibited.

To answer your question as directly as we can, it depends. If your club is a "public facility" as defined in your state then the odds of your male members prevailing in their quest are remote at best. If it is truly a "private club" (a very difficult standard to achieve) the odds are better but not resolute as some states have tied non-discrimination laws to liquor licenses and other circumstances.

Do you have a Club-Specific Legal Question You Would Like Answered?

Send in Your Own Questions to be Answered Through The Legal Newsletter.

Do you have a specific legal question that you would like answered? Are there any particular topics that you would like to see addressed in the Legal Newsletter? Please submit your questions or suggested topic to the Legal Newsletter team at legalnewsletter@cmah.org. Your question/issue will be addressed as space permits and all questions will be treated anonymously.

About the Author

Stephen Barth, author of Hospitality Law, is an attorney and founder of HospitalityLawyer.com. As an associate professor at the Conrad N. Hilton College of Hotel and Restaurant Management, University of Houston, he teaches courses in hospitality law and leadership. He is a member of a select group of instructors worldwide designated by the Educational Institute of the American Hotel and Motel Association to teach its Certified Hospitality Educator (CHE) program. Stephen has more than 20 years of experience in hospitality operations, including line positions, management and ownership.

Stephen is a regular speaker for CMAA, the Texas Hotel and Motel Association, the National Restaurant Association and many other state hospitality associations and management companies where his presentations focus on methods and techniques for preventing liability in the hospitality industry and creating a positive workplace.

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