

# today's hotelier

November 2021 | todayshotelier.com

Official Publication of AAHOA

Ken Greene

*AAHOA President & CEO*

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1100 Abernathy Road, Suite 725  
Atlanta, GA 30328  
P: (404) 816-5759  
[info@aahoa.com](mailto:info@aahoa.com)  
[www.aahoa.com](http://www.aahoa.com)

### AAHOA STAFF CONTRIBUTORS

**Lisa Brown**, Content Coordinator, Copywriter & Copy Editor  
**Heather Carnes**, VP, Marketing & Communications  
**Ken Greene**, President & CEO  
**Sean Grossnickle**, Government Affairs Manager  
**Dean Heyl**, VP, Government Affairs  
**Kati Siconolfi**, Director, State & Local Government Affairs  
**Melissa Stern**, Director, Corporate Communications  
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1430 Spring Hill Road, Sixth Floor  
McLean, VA 22102  
T: (800) 369-6220  
[www.naylor.com](http://www.naylor.com)  
[todayshotelier@naylor.com](mailto:todayshotelier@naylor.com)

### NAYLOR STAFF CONTRIBUTORS

**Carter Davis**, Managing Editor  
**Heather Greyling**, Publisher  
**Gord Klassen**, Design/Layout  
**Adam Ligenfelter**, Project Manager  
**Hope Swindler**, Project Coordinator

**Chris Zabel**, Advertising Director  
**Shane Holt and Norma Walchuk**,  
Advertising Associates



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# 5 Things to Know About AAHOA This Month

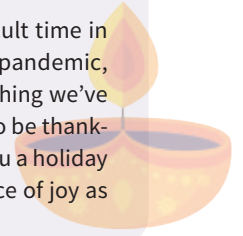
## GIVE THANKS BY GIVING BACK THIS THANKSGIVING.

'Tis the season of giving, so what better time than now to contribute to the Kennesaw State University Michael Leven and Lee Dushoff AAHOA Scholarship for Compassionate Leadership? The scholarship, which honors the legacy of two leaders instrumental to AAHOA's founding, provides financial assistance to exceptional students in the hospitality program. Your donation is fully tax deductible, so give today. [Community.kennesaw.edu/aahoa](http://Community.kennesaw.edu/aahoa)



## HAPPY DIWALI TO ONE AND ALL.

The past nearly two years have been the most difficult time in the history of our industry, thanks to the COVID-19 pandemic, and most of us are still facing challenges unlike anything we've faced before. Even so, we all still have so very much to be thankful for. Never lose sight of that. AAHOA wishes all of you a holiday season filled with gratitude, peace, and an abundance of joy as you celebrate the Festival of Lights.



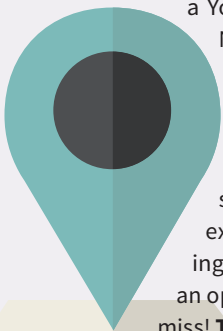
## REGISTRATION IS OPENING SOON FOR AAHOACON22.

The 2022 AAHOA Convention & Trade Show is set for April 12-15 in Baltimore, MD, and registration will be opening soon. After a spectacular convention this year in Dallas, we are looking forward to coming together once again at the hospitality industry's largest gathering of hotel owners for four days of timely education, inspiration, networking, and a one-of-a-kind Trade Show. See you there!



## HX KICKS OFF THIS MONTH IN NEW YORK CITY.

It's finally here! Join us in NYC November 10-11 for HX: The Hotel Experience Powered by AAHOA. With brand-new AAHOA-curated educational sessions, a Young Professional Hoteliers Networking Reception, incredible networking opportunities, unparalleled access to market-leading operators who are committed to sharing their knowledge and expertise, and an expo featuring hundreds of exhibitors, it's an opportunity you won't want to miss! [TheHotelExperience.com](http://TheHotelExperience.com)



## BE A CANDIDATE FOR THE AAHOA BOARD OF DIRECTORS.

We are looking for motivated members who are eager to assist AAHOA in achieving its latest goals as set forth in the 2021-2023 Strategic Plan. Answer the call and volunteer to serve. The nomination period runs through Feb. 14, 2022, and open positions and eligibility requirements are available at [AAHOA.com/2022candidates](http://AAHOA.com/2022candidates).



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**VINAY PATEL**  
AAHOA CHAIR (2021-2022)

“  
From experiences to impact, AAHOA is equipped to engage and educate lawmakers, brands, vendors, and media.”

## Light up your voice

**D**IWALI IS A CELEBRATION OF LIGHT AND VICTORY OVER THE DARKNESS. IN THIS victory, we gather and celebrate the holiday with candles, feasts, dance, and prayer. It's a unity of family and friends to rejoice in peace, knowledge, goodwill, and success. From my family to yours, I wish you all a happy Diwali!

The beauty of Diwali is found in the union of community and culture. It's within this union where we find time to recollect and process the advent of a new year. As you embrace the spirit of the holiday, take time to reflect on the triumphs experienced under the unprecedented circumstances of the past year.

### UNITY IN ADVOCACY

AAHOA is focused on helping and engaging our 20,000 members nationwide. Recently, we published the state-by-state economic impact results of the study conducted with Oxford Economics. AAHOA Members have always been the lifeblood of the hospitality industry and this report confirms that with quantifiable economic data. The *AAHOA Ownership & Economic Impact Study* is impressive, and I encourage you to visit the dedicated resource page at [AAHOA.com/Oxford](https://AAHOA.com/Oxford) to learn more.

Our industry is on a years-long road to recovery. As the foremost resource and advocate for America's hotel owners, we are politically engaged at the local, state, and federal levels to represent the business interests of our members. The findings laid out in the *AAHOA Ownership & Economic Impact Study* back up the stories of AAHOA Members with concrete data. From experiences to impact, AAHOA is equipped to engage and educate lawmakers, brands, vendors, and media.

We continue on the road to recovery with a laser focus on harnessing the resources to engage, advocate, and educate. As a membership association, AAHOA excels with the collaborative effort of our AAHOA team, members, and volunteer leaders. Your involvement with AAHOA is a vital contribution to the work we produce, and we are all better for it. Sign up for our advocacy emails, attend your town halls and regional events, and visit our new advocacy newsfeed on [AAHOA.com](https://AAHOA.com) to stay up to date on the latest news, campaigns, and other ways to get engaged.

I am honored to serve in an association rich with culture, professionalism, and passionate engagement. Become your own advocate and light up your voice! ■

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To access DIRECTV HD programming, HD equipment req'd. **IN THE EVENT YOU FAIL TO MAINTAIN YOUR SUBSCRIPTION TO THE REQUIRED PROGRAMMING PACKAGES, YOU AGREE TO PAY AN EARLY CANCELLATION FEE EQUAL TO THE FULL SUBSIDY AMOUNT YOU RECEIVED PRORATED BY THE NUMBER OF MONTHS YOU PAID FOR THE REQUIRED PROGRAMMING PACKAGES DURING THE COMMITMENT PERIOD. Payment is due within thirty (30) days of receipt of a notice of failure to complete the commitment period.** **INSTALLATION:** Custom installation charges apply, and installation fee is based on property size. Applicable use tax adjustment may apply on retail value of installation. Availability of DIRECTV service may vary by location. In certain markets, programming/pricing may vary. Make and model of system at DIRECTV's sole discretion. Offers void where prohibited or restricted. Programming available separately. 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University accounts excluded. **IN THE EVENT YOU FAIL TO MAINTAIN YOUR PROGRAMMING AGREEMENT, YOU AGREE THAT DIRECTV MAY CHARGE YOU AN EARLY CANCELLATION FEE. CANCELLATION FEES ARE BASED ON PROGRAMMING PACKAGE SELECTION AND COMMITMENT PERIOD.** In certain markets, programming/pricing may vary. Offers void where prohibited or restricted. Hardware and programming available separately. Taxes not included. DIRECTV programming, hardware, pricing, terms and conditions subject to change at any time. HBO®, Cinemax® and related channels and service marks are the property of Home Box Office, Inc. <sup>5</sup>**SHOWTIME OFFER:** Offer ends 11/15/21. The SHOWTIME programming offer (\$099/room/mo.) is available only as a 2nd Premium add-on. Offer available to qualifying new or existing Hospitality accounts with a 3-, 5- or 7-year programming agreement and must not have received SHOWTIME programming from DIRECTV or any other distributor during the 24 months prior to activation. Offer is available for accounts activated on or before 11/15/21. After the applicable promotional period (3-, 5- or 7-years) ends, then-prevailing rate for SHOWTIME applies unless canceled or changed by customer prior to end of the promotional period. Offer may not be combined with any other SHOWTIME offer. SHOWTIME and related marks are trademarks of Showtime Networks Inc., a ViacomCBS Company. Premium Channel subscriptions are only available for Private Viewing or Lodging & Institution customers. <sup>6</sup>2021 DIRECTV, DIRECTV and all other DIRECTV marks are trademarks of DIRECTV, LLC. All other marks are the property of their respective owners.



**KEN GREENE**  
AAHOA  
PRESIDENT & CEO

## The strength in our numbers

“  
We want to wish you a happy Diwali, the festival of lights celebrated by millions of Hindus, Sikhs, and Jains across the world. We hope this holiday brings happiness, joy, and prosperity to you and your family.”



**A**DVOCACY. WHEN YOU THINK OF THAT WORD, WHAT'S THE FIRST THING THAT comes to your mind? For me, it's standing up for what you believe in. But on top of that, it's standing up for others even if their cause doesn't directly affect you.

Whether it's fighting for the best interests of our members and hoteliers or for our health as it pertains to the pandemic, if we don't stand up for others, who will be left to stand up for us when we need it? Advocacy is a huge part of AAHOA's mission and supporting our more than 20,000 members on the state, local, and federal levels is more important than ever.

While the phrase, "We're all in this together," has been extremely overused over the past year and a half, there's a reason for that. There is strength in numbers. If you've ever had someone defend you, put their reputation on the line, or speak up on your behalf, it likely left a lasting impression on you.

AAHOA wants to leave a lasting impression on our members with each issue we bring to our lawmakers by building trust, credibility, and change. Whether it's fighting for the Economic Injury Disaster Loan (EIDL) program to provide economic relief to small businesses or gathering statistics on AAHOA's economic impact and industry influence of our members, each "win" gets us one step closer to accomplishing our goals.

As we inch closer and closer to the end of 2021 and welcome a new year, my hope is that we all focus more on advocacy efforts and how that will help shape our industry for years to come. In the past year, AAHOA and other industry leaders spent a substantial amount of time with lawmakers at the state, local, and federal level, both virtually and in person.

AAHOA Members participated in our Virtual Action Summit, giving them time with members of Congress to discuss how COVID-19 impacted their business. We joined forces with AHLA to form the American Hospitality Alliance (AHA) to pool our resources and better serve our members when it comes to advocacy and political engagement at the state and local levels.

From the topic of human trafficking (see article on page 18) and information on being ADA compliant, to fighting for pre-pandemic per diem rates and securing much-needed financial relief for struggling hoteliers, our advocacy efforts run the gamut.

AAHOA is an organization built on diversity, acceptance, and an appreciation for different cultures. We want to wish you a happy Diwali, the festival of lights celebrated by millions of Hindus, Sikhs, and Jains across the world. We hope this holiday brings happiness, joy, and prosperity to you and your family.

As we close out the last quarter of the year, I ask that you pick an advocacy issue and make it your mission to stay informed on the topic, get involved, and meet others who are passionate about the same issue.

The more we highlight certain issues, the more likely we are to see results. As the proverb says, "The squeaky wheel gets the grease."

We are Team AAHOA, and we have so much more to accomplish together. ■

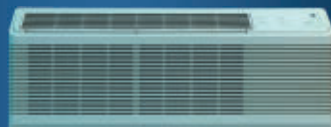
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# Advancing AAHOA advocacy

by SEAN GROSSNICKLE

**T**HE AAHOA GOVERNMENT Affairs team is constantly adjusting to the shifting realities of the pandemic as we elevate the voice of America's hotel owners at the state and federal levels. With creativity and the pooling of resources, AAHOA advocacy can continue to bring about meaningful engagement with elected officials and the many other public servants working in government. As always, this past year has seen the productive engagement of AAHOA Members in the legislative process.

Given the partisan gridlock engulfing Congress and the White House, our advocacy efforts at the state and local levels have taken on special importance. Lawmakers in Washington, D.C., have

managed to pass historic relief packages that allocated billions in recovery funds to state and local governments. A number of states are still processing how to spend these funds, and AAHOA is in step with our state lodging association partners as we advocate for policies, regulations, and laws to help hotel owners rebound.

AAHOA and American Hotel & Lodging Association, the preeminent national hotel and lodging associations, announced the launch of the American Hospitality Alliance in late June. The vision for AHA was years in the making and built on the expertise, resources, and long-standing partnerships AAHOA and AHLA maintain with state lodging associations. The AHA strategically focuses on advancing policies and political

relationships vital to hoteliers at the state and local levels.

The AHA launch is one of the highlights of a productive year of political engagement. As the calendar year draws to an end, it's not too early to start looking for ways to renew your engagement in AAHOA's advocacy efforts in the months to come. The political and regulatory landscape hotel owners operate in is constantly evolving, and we need your voice to educate lawmakers on the most critical areas of emphasis in our industry's recovery.

Visit the AAHOA website at [AAHOA.com/Advocacy/News](http://AAHOA.com/Advocacy/News), subscribe to the Daily Digest, and turn on alerts so you never miss a chance to make your voice heard. ■

## AAHOA advocacy during the pandemic

### CARES ACT INFLUENCE

- Troubled Debt Restructuring helped members obtain forbearance on bank loans
- Waiver of the SBA affiliation rules for hotels

### PPP FLEXIBILITY ACT

Through our advocacy efforts, we were able to:

- Increase non-payroll use from 25% to 40%
- Extend the coverage period from eight weeks to 24 weeks
- Implement rehire exemptions and a payroll tax deferral

### SECOND ROUND OF FEDERAL STIMULUS

AAHOA advocated for:

- Banking forbearance extension through 2021
- PPP Second Draw Loans to be 3.5 times payroll for hotels
- Tax deductibility
- Extension and expansion of SBA 504 and 7(a) debt-relief subsidies

### AAHOA ADVOCACY AT THE STATE & LOCAL LEVELS

Through our advocacy efforts, we were able to:

- Have hotels designated as essential businesses during the early stages of the COVID-19 outbreak
- Assist dozens of states in providing direct financial relief to hoteliers, such as grant and loan programs
- Achieve liability protection against frivolous COVID-19 lawsuits in more than 25 states
- Defeat the largest tax hike in California's history
- Advocate for and achieve tax-free status of forgiven PPP loans in 42 states and the District of Columbia



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# Teamwork

*makes the (American)*  
dream work

by KEN GREENE

**W**HEN I REFLECT ON MY THREE-decade career in hospitality, I often think about the folks who were in charge and what their leadership philosophy looked like. Having strong direction and influence from someone who truly cares makes a huge difference.

As I drop the interim title and become AAHOA's President & CEO, I'm humbled by the prospect of working alongside our AAHOA Officers, Board of Directors, and the AAHOA Team to help guide the organization to new heights.

I like to lead by example, and I'm also a strong believer in teamwork. Everyone should participate in the process, and nothing gets accomplished alone. You might have noticed in our Daily Digest that my signoff quickly became, "We are Team AAHOA, and we have so much more to accomplish together."

It was easy to come up with that closing, since I intend to share responsibility for our ambitious accomplishments and goals with Team AAHOA. I have strong roots in the organization, and it's obvious how far AAHOA has come during the past three decades and counting. Throughout my stint as Interim President & CEO, I hit the ground running, working closely with the Board, team, and members to get input on how AAHOA can grow and evolve during the next 30 years.



“

I like to lead by example, and I'm also a strong believer in teamwork. Everyone should participate in the process, and nothing gets accomplished alone.”

### THE PEOPLE BUSINESS

We may have connected if you attended AAHOA's events during the past few months or maybe you've seen pictures on social media. Not only do I plan to lead by example, but I intend to continue attending as many events as possible. After all, we're all in the business of people and hospitality is what we're all about.

In the short term, I'm learning about the immediate needs of AAHOA and its members, and through many conversations, we're together strategizing what's working and what needs improvement. I'm taking the time every day to get a better understanding of our community outreach, advocacy goals, membership needs, education, and the list goes on.

But overall, long-term thinking is our short-term strategy. I'm working closely with my team to determine how the decisions we're making today will impact AAHOA five or 10 years from now. We're setting goals and analyzing trends now to ensure future growth in the long term.

The hospitality industry has faced tremendous setbacks during the past year and a half, and it could get worse before it gets better. Right now, we indeed live and operate our businesses in unpredictable times.

I'm excited to step up to the plate to help challenge the status quo, enhance communication and outreach,

and bring new ideas and new thinking to the table. AAHOA is prepared to evolve with the fast-changing industry and lead the way as we recover from the COVID-19 pandemic and consider the long-term implications of living in a world – and operating businesses – where uncertainty is the new normal.

### WE'LL GET THERE TOGETHER

AAHOA has always been a leader in the industry and will continue to play a huge role in shaping how the industry develops, changes, grows, and adapts. As you may have heard, our recent Oxford study showed AAHOA represents more than 60% of the hotels in the United States. And by leaning into our vision to be the foremost resource and advocate for America's hotel owners, we strive together to grow that representation even more in the coming years.

We want to continue to be a trusted information source by monitoring trends and constantly improving. AAHOA strives to be innovative and adaptable, and our long-term strategy includes partnerships and collaboration with other industry leaders.

I plan on listening, inspiring others, and encouraging creative thinking and solutions to take AAHOA into the future. I've always encouraged my team to reach out to me whenever they need me, as I've made it clear that I want to be approachable and supportive. I truly believe a team is only as strong as its leader, and working together is how we get results.

But this isn't only for my team. Recently, at an event I spoke at, I looked out at the audience and saw many young

professionals. I told them all to take out their cell phones and save my phone number and to reach out to me if they ever needed anything. I said, “The power of AAHOA starts in this room.”

Call me old-fashioned, but I assumed I would get some phone calls. Instead, I got flooded with text messages. But I meant what I said.

We all were once new at something, and it's our job to pay it forward to inspire growth and influence chances of success. My hope is that by setting clear priorities and helping cultivate AAHOA's vision, we can all work together to continue to grow our membership, leave our imprint on the industry, and be the foremost advocate and resource for America's hotel owners.

I'm humbled to be in this role today – helping to lead AAHOA into the future and charting a path for our success over the long term.

We are Team AAHOA, and we have so much more to accomplish together.

Let's get to work. ■

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*Ken Greene is President & CEO of AAHOA. Prior to joining in June of 2021, Ken's career included successfully leading hospitality organizations for more than two decades in the United States and around the world. His leadership at global hotel brands like Radisson Hotel Group and Cendant Corporation (now Wyndham Hotel Group) resulted in significant positive change in culture, growth, and financial performance. His background in hospitality will help advance and protect the business interests of the nearly 20,000 AAHOA Members.*



We  
can be

# Heroes

AAHOA's  
partnership  
with Businesses  
Ending Slavery  
& Trafficking  
(BEST) to enhance  
training for  
hotel workers

by NICK FORTUNA

**T**HE SAME TECHNOLOGIES that are helping hoteliers deal with shifting customer-service expectations and the national labor shortage can bolster their efforts to combat sex trafficking at their properties. But, since technology is a double-edged sword, those same solutions can help sex traffickers avoid being detected by hotel workers and guests, potentially worsening this growing problem.

That's a major underpinning of AAHOA's ongoing partnership with Businesses Ending Slavery and Trafficking (BEST), with the shared goal of enhancing an important training program aimed at raising hotel workers' awareness and how to spot the signs of sex trafficking. Launched in 2016, the "BEST Inhospitable to Human Trafficking Training, Sponsored by AAHOA" program has been updated and improved

this year to include a greater focus on the role of new technologies.

Dr. Mar Brettmann, BEST's chief executive and executive director, said hotel workers are on the front lines of this issue. Her organization provides training resources about sex trafficking that any business can use, and it holds seminars on the topic for a variety of industries, including maritime shipping and air travel.

But Brettmann singled out AAHOA Members and the hotel industry for accepting a leading role in addressing an issue that affects an estimated 20.9 million victims worldwide and amounts to a \$150 billion industry, according to the National Human Trafficking Resource Center.

"We've had a long partnership with AAHOA, and we're excited to see it continue because the hotel industry is leading the way for other industries on this issue," Brettmann said. "The hotel industry really

## The warning signs

The National Human Trafficking Resource Center encourages hotel workers to look out for the following common indicators of trafficking:

- The room is paid for with cash or a prepaid card.
- The room requested is one with a view of the parking lot.
- There is heavy foot traffic into and out of the room.
- Guests are dressed inappropriately for the climate.
- There are frequent requests for new linens and towels.
- There is excessive alcohol, drugs, or sex paraphernalia present.
- There are signs of poor hygiene, malnourishment, or fatigue.
- There is no freedom of movement or there is monitored movement.
- Guests exhibit fearful, anxious, or submissive behavior.

“A hero is an ordinary individual who finds strength to persevere and endure in spite of overwhelming obstacles.”  
– Superman

“I think a hero is any person really intent on making this a better place for all people.”  
– Maya Angelou

“Superheroes are fascinating to many children, and we can help them know it’s not an imaginary superself but each person’s real self that does the really important things in life.”  
– Fred Rogers

is the model for how an industry can proactively take on the issue of trafficking and try to prevent it, and training their staff has been the key to that. We would love to see other industries do as much as the hotel industry is doing.”

#### WHAT WE DO DEFINES US

While technological solutions such as keyless entry and mobile check-in and checkout allow hotels to get by with fewer workers and streamline their guest services, they do come with drawbacks, Brettmann said. Sex traffickers now have a greater ability to avoid interaction with guests in the lobby and hotel workers who are trained to recognize the signs of sexual exploitation.

On the flipside, high-definition security cameras and hospitality software platforms are making it easier for hoteliers to identify suspicious activity.

Hotel workers can use cameras to monitor parking lots and hallway corridors for unusually high levels of traffic. In addition, software platforms can alert workers when a guest’s room door is being opened and closed with great frequency or when access doors on the side of the hotel are propped open, allowing johns to come and go without entering the lobby.

“Hotels are moving toward having less staff and using contactless technologies, and that poses a challenge because we’ve traditionally relied on hotel workers at the front desk or in housekeeping to identify signs of sex trafficking,” Brettmann said. “Those are some of the issues we’re working to develop solutions to.”

The enhanced training program, developed by BEST, includes a focus on

unconscious bias and how it can lead workers to miss signs of sex trafficking or wrongfully assume that exploitation is taking place.

Boys and men account for 29% of all trafficking victims, according to Free the Slaves, a Washington, D.C.-based advocacy group focused on ending sex and labor trafficking. Many of these victims go unrecognized because they appear to be physically strong enough to fight back against traffickers, so the public ignores other possible signs of trafficking, Brettmann said.

Similarly, societal stereotypes can lead hotel workers and guests to jump to the wrong conclusion, exposing guests to embarrassment and unwarranted questioning by law enforcement. In one case, police were allegedly called simply because a white man was with a child from a racial minority, and it turned out that the man was the child’s parent, Brettmann said.

In other cases, hotel employees erroneously assumed transgender guests were involved in sex work or that young Black girls were voluntarily engaging in prostitution when, in fact, they were being held against their will, she added.

“It’s really important that people aren’t just looking at appearances to identify cases of trafficking,” Brettmann said. “That’s why we’re focused on behavior-based indicators that raise concerns regardless of what the person looks like.”

Those indicators include signs of physical abuse and control. Victims may have bruises, lack access to forms of identification, money, and a phone, or show confusion about their current or previous whereabouts, the latter of which is a possible sign that they’ve been drugged or moved around a lot by pimps, Brettmann noted.

#### SILENT PROTECTORS

Besides developing training programs, BEST advocates for sex-trafficking victims in numerous ways, including helping them obtain gainful employment and making policy recommendations to lawmakers, Brettmann said.

For example, BEST's Safe Jobs Collaborative is a partnership with social-service agencies and employers in King County, WA, to provide internships and job opportunities to survivors of sex trafficking and those at risk. Participating employers receive applications from qualified job seekers who are prescreened and receive ongoing job-readiness training and support from social service agencies.

Employers also get help with onboarding, training to address stress, trauma, and resilience in the workplace, and public recognition from BEST. So far, Brettman said, the collaborative has helped 424 trafficking survivors and people at risk find jobs.

Meanwhile, BEST is making policy recommendations to lawmakers who are considering fully decriminalizing prostitution, sex buying, and pimping in response to the nation's high rates of incarceration, Brettmann said. She said the majority of sex workers experience coercion from an individual or from difficult life circumstances, and that arresting them isn't a good solution because it closes off alternative employment options and keeps them trapped in a cycle of violence.

Brettmann said research shows that when prostitution and sex buying are fully decriminalized, demand increases because johns no longer worry about being arrested and publicly humiliated. More demand for prostitution leads to more sex trafficking, she said, so BEST wants laws penalizing buyers and pimps to remain in place.

"Fully decriminalizing sex buying and pimping would pose a real issue for local hotels because sex trafficking will increase," Brettmann said. "It's something they need to pay attention to."

And COVID-19 has only exacerbated the problem of sex trafficking, she said. Children who couldn't attend school in person were spending more time online, often unsupervised, while their parents worked, making them easier targets for sex traffickers pretending to be children. Kids and young adults have had less interaction with teachers, coaches, church leaders, social workers, and other adults who often identify signs of abuse.

Furthermore, job losses from the pandemic drove many families into poverty, forcing people to do things they normally wouldn't just to get by. And renewed calls for police reform have led to smaller police departments that lack the manpower and will to crack down on non-violent crime.

"In the Seattle area, we're seeing a huge increase in street-based prostitution, and that's in large part due to COVID-19 as well as changes in policing that have happened during the past year," Brettmann said. "Lots of people are falling through the cracks, so hotels are on the front lines of this issue even more so than they were before." ■

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**DESIGNED TO BE DIFFERENT**

# Get in the game

For these (and many other) AAHOA Members, involvement in state and local committees is a key part of their hotel ownership playbook

by CARTER DAVIS

**A**DVOCACY IS THE LIFEblood of AAHOA. Without strong and consistent representation in the chambers where laws, policies, and mandates are being drafted, debated, and voted on, hoteliers don't stand a chance against the mammoth corporate interests that already have a foothold in that realm. And while AAHOA has a dedicated team who focus solely on legislative issues, AAHOA Members have a vested interest in helping to ensure hotelier-friendly legislation is enacted and laws that could prove harmful to the industry are advocated against.

And while advocacy can certainly take many different forms, the hoteliers featured here have lent their time and talents to various state and local committees to amplify the industry's collective voice and help drive policy across the country.

If you're still sitting on the sidelines, perhaps this will be an inspiration to you get into the game and join AAHOA to carpe the heck out of this diem.



## Bijal Patel

Chair of the California Hotel & Lodging Association Board (2020-2021)  
Winner of the 2021 AAHOA Advocacy Award

### WHAT COMMITTEES/ ASSOCIATIONS/BOARDS ARE YOU CURRENTLY A PART OF AND WHAT ROLE(S) DO YOU HOLD?

**Bijal Patel:** I'm a third-generation hotelier currently completing my second one-year term as Chair of the California Hotel & Lodging Association, the largest state hospitality group in the U.S. whose members operate almost a quarter of a million rooms at properties that range in size from small inn operations to hotels with 3,000 rooms.

### WHAT FIRST PROMPTED YOU TO GET INVOLVED IN THE INDUSTRY FROM AN ADVOCACY PERSPECTIVE?

**BP:** The hotel industry is under siege by over-legislation and over-regulation. We must continually and relentlessly pursue the ability to operate our businesses without excessive and unnecessary government interference.

“

Some people call it ‘advocacy.’ Others call it “lobbying.” I prefer to think of it as intelligent capitalism and responsible ownership.”

Some people call it “advocacy.” Others call it “lobbying.” I prefer to think of it as intelligent capitalism and responsible ownership. It means making ourselves known to the people who impact our bottom line. That’s the only way we will get laws and rules that help us more and hurt us less.

### HAS YOUR INVOLVEMENT ALTERED YOUR VIEW OF THE INDUSTRY AND ITS NEEDS?

**BP:** I’ve learned that legislators, regulators, and their staffs typically aren’t familiar with the economic power, reach, and impact of the hotel industry. They don’t understand how their laws and regulations will affect the operations of our hotels in time, money, or manpower.

It’s our job to show government officials how certain laws and regulations are valuable and needed, while other laws and regulations are excessive, unnecessary, and might have heavy economic penalties or other unintended consequences.

### WHAT ARE YOUR PLANS FOR INDUSTRY INVOLVEMENT ONCE YOUR CURRENT TERM CONCLUDES?

**BP:** I’m a third-generation hotelier, so this business is not just a job for me, it’s in my DNA. Yes, each of us faces a variety of challenges every day as a hotel owner, but hoteling is still one of the best ways to earn a living in the U.S. I intend to keep working in any way and every way possible to make sure our industry stays strong and becomes even more meaningful and rewarding.

# Pratik Patel

Chair, Texas Hotel & Lodging Association (2016), AAHOA Past Chair (2014-2015)



## **WHAT COMMITTEES/ASSOCIATIONS/BOARDS HAVE YOU BEEN A PART OF AND WHAT ROLE(S) DID YOU HOLD?**

**Pratik Patel:** I have been, or still am, a board member of AAHOA (2010-2015), Texas Hotel & Lodging Association (2020-present), American Hotel & Lodging Association (2010-2016), San Antonio Hotel & Lodging Association (2010-2013), and Visit San Antonio (2020-present).

## **WHAT FIRST PROMPTED YOU TO GET INVOLVED IN THE INDUSTRY FROM AN ADVOCACY PERSPECTIVE?**

**PP:** I realized our industry wasn't well represented. Our first generation worked extremely hard but never had their voices and ideas heard. I felt it was my responsibility to give back to them and our future by making sure we were heard and that our ideas would help shape future legislation.

## **CAN YOU GIVE EXAMPLES OF WAYS THE INDUSTRY BENEFITED FROM ADVOCACY EFFORTS IN WHICH YOU WERE ENGAGED?**

**PP:** Through the various groups with which I've participated, I've gotten to see mainstream recognition of the hard work and the impact of hospitality across sectors outside of lodging. For example, we saw a reinstatement of SBA programs to help owners, prevention of bills that would adversely affect our industry, and we pushed for and secured funding for travel and tourism, as well as the promotion of hospitality.

## **WHAT ADVICE WOULD YOU GIVE FOR OTHERS WHO AREN'T YET INVOLVED IN ANY STRUCTURED FORM OF INDUSTRY ADVOCACY?**

**PP:** Get involved. You can't make a difference by sitting on the sideline. You need to make sure that our industry is represented in cities, states, and on the national level to help prevent legislation that may adversely affect your business and help create legislation that lets you continue the great work of hospitality on all levels. Simply put, you can't accomplish these tasks unless you make sure your voice is heard by getting involved.

## **WHY MIGHT A HOTEL OWNER BE RELUCTANT TO GET MORE INVOLVED IN THE INDUSTRY FROM AN ADVOCACY POINT OF VIEW?**

**PP:** It takes a lot of time and commitment for the greater good. But we all need to do our part to get involved and be represented.



You need to make sure that our industry is represented in cities, states, and on the national level to help prevent legislation that may adversely affect your business and help create legislation that lets you continue the great work of hospitality on all levels.”

# Vinay Patel

Past Chair, North Carolina  
Restaurant & Lodging Association

## **WHAT COMMITTEES/ ASSOCIATIONS/BOARDS HAVE YOU BEEN A PART OF AND WHAT ROLE(S) DID YOU HOLD?**

**VP:** I have been, or still am, a part of the North Carolina Restaurant & Lodging Association, the Charlotte Regional Visitors Authority, Visit Lake Norman (CVB), Visit Cabarrus (CVB), North Carolina Travel & Tourism, TRIA, the Aloft FAC, the Marriott/Starwood Integration Board, the University of North Carolina at Chapel Hill Board of Trustees, the Charlotte, NC, Small Business Task Force, and the Hire Charlotte Task Force.

## **WHAT FIRST PROMPTED YOU TO GET INVOLVED IN THE INDUSTRY FROM AN ADVOCACY PERSPECTIVE?**

**VP:** I initially got involved when I was working on the franchisor side at what is now Wyndham. When I moved to Charlotte in 2001 and joined the family business at SREE, my uncle explained the importance of being involved in not only the political process but also in civic opportunities. I saw firsthand the issues that being complacent can cause. We have to be active to ensure our businesses and communities will succeed.

## **CAN YOU GIVE EXAMPLES OF WAYS THE INDUSTRY BENEFITTED FROM ADVOCACY EFFORTS IN WHICH YOU WERE ENGAGED?**

**VP:** Here in Charlotte, we were able to secure a \$6-million grant program for hotels within the city limits, and we currently are working with the NC Legislature to secure a \$500-million grant program for our industry from the current round of federal money that was sent to the state.

“

When I moved to Charlotte in 2001 and joined the family business at SREE, my uncle explained the importance of being involved in not only the political process but also in civic opportunities.”

## **WHY MIGHT A HOTEL OWNER BE RELUCTANT TO GET MORE INVOLVED IN THE INDUSTRY FROM AN ADVOCACY POINT OF VIEW?**

**VP:** I think the issue is not with all hotel owners, but some owners have a tendency to only get involved when they need something from the elected officials. They only come out when there is an issue that impacts them directly. Until then, they sit on the sidelines and let others do the work. My philosophy is to be involved and build relationships with them when we don't need anything from them. Show them we aren't only here for our benefit but also for our community as a whole. This allows you to build stronger relationships for when we truly need them, like we do right now.





# Bhavesh Patel

AAHOA Past Chair (2017-2018), Chairman of the New Jersey Restaurant & Hospitality Association

“

We need to be much more involved so we have a strong voice and a seat at the table. If we don't, we will get run over.”

## **WHAT COMMITTEES/ASSOCIATIONS/BOARDS ARE YOU CURRENTLY A PART OF AND WHAT ROLE(S) DO YOU HOLD?**

**Bhavesh Patel:** I'm currently the chairman of the New Jersey Restaurant & Hospitality Association, a trustee of CLPSS, and a volunteer for the Cradle of Liberty Council and Boys Scout of America.

## **WHAT FIRST PROMPTED YOU TO GET INVOLVED IN THE INDUSTRY FROM AN ADVOCACY PERSPECTIVE?**

**BP:** There wasn't any representation for the hotel industry in New Jersey at the time. We had no voice, and a lot of harmful bills were being passed with nothing being done to try and stop them.

## **HAS YOUR INVOLVEMENT ALTERED YOUR VIEW OF THE INDUSTRY AND ITS NEEDS?**

**BP:** Absolutely. We need to be much more involved so we have a strong voice and a seat at the table. If we don't, we will get run over.

## **WHAT ARE THE KEY ISSUES FACING HOTELIERS TODAY?**

**BP:** Right now, surviving is the key. We need help with labor, more funding as far as grants are concerned, and we need ways to bring in more business.

## **WHAT ARE THE ISSUES THAT THE COMMITTEES ON WHICH YOU CURRENTLY SERVE ARE FOCUSED?**

**BP:** We are working hard to address the labor shortage and find funding. Many neighboring states have given a considerable amount of grant funds to hotels, but New Jersey hasn't. So, I have been testifying in front of the governor's policymakers in an effort to secure some of the funds from the American Rescue Plan that are designated for tourism and hospitality.

## **WHAT ARE YOUR PLANS FOR INDUSTRY INVOLVEMENT ONCE YOUR CURRENT TERM CONCLUDES?**

**BP:** I certainly plan to be involved as much as possible as a board member for NJRHA and serving as an industry advocate wherever possible. If we don't speak up, our voices won't be heard and we won't survive.

# Masudur Khan

Past Chair, Oregon Restaurant & Lodging Association  
(2020-2021), AAHOA Lifetime Member



## **WHAT COMMITTEES/ASSOCIATIONS/BOARDS ARE YOU CURRENTLY A PART OF AND WHAT ROLE(S) DO YOU HOLD?**

**Masudur Khan:** I'm the immediate Past Chair of the Oregon Restaurant & Lodging Association (ORLA), having started my term in September 2020, and I have been on the Board of Directors for Distressed Children & Infants International (DCI) since 2002.

## **WHAT FIRST PROMPTED YOU TO GET INVOLVED IN THE INDUSTRY FROM AN ADVOCACY PERSPECTIVE?**

**MK:** I started acquiring and managing hotels in 2004. When Airbnb came to market and started competing with traditional hotels, I thought our leaders could do better in creating equal regulations so everyone, including Airbnb, stays in compliance with rules and follows city/county regulations.

## **IS THIS YOUR FIRST EXPERIENCE SERVING ON AN INDUSTRY ADVOCACY COMMITTEE?**

**MK:** It is, but I have been involved with local county committees and city and business development organizations, and I have provided my input on major changes like city planning and tax regulations.

## **HAS YOUR INVOLVEMENT ALTERED YOUR VIEW OF THE INDUSTRY AND ITS NEEDS?**

**MK:** Serving at ORLA had a huge impact when I saw the issues leaders face while trying to implement a change or regulations. Especially during the pandemic, it is a tremendous experience to see how fast leaders must make decisions and implement those while minimizing chaos and keeping business owners, employees,

and government in mind. ORLA is a huge association that works with numerous hoteliers and business owners. During unprecedented times, understanding how much the association needs to provide support with PPP loans, grant money, and business relief to those hoteliers and restaurant owners has been eye opening.

## **WHAT ARE THE KEY ISSUES FACING HOTELIERS TODAY?**

**MK:** The key issues these days include handling COVID-related issues, addressing the severe labor shortage, dealing with market-demand fluctuations, a supplies shortage, the materials cost increase, capital limitations for new projects in real estate and the hospitality industry, and constant changes in government regulations. The market raised wages like never before and competing for workers and keeping up with wage increase had a tremendous impact on business expenses by jeopardizing hotel owners' investments. We desperately need rules and regulations to address these situations so it doesn't have a massive negative impact on small business owners. ■

“

During unprecedented times, understanding how much the association needs to provide support with PPP loans, grant money, and business relief to those hoteliers and restaurant owners has been eye opening.”

# Celebrating Diwali

## The festival of lights!

by HEATHER CARNES

**E**ACH YEAR, DIWALI, THE FESTIVAL OF LIGHT, PAYS homage to the defeat of darkness with light. This year, *Today's Hotelier* wanted to recognize this auspicious occasion and share more about this annual celebration with our readers who may want to know more about the occasion and its lovely traditions and history.

As one of the most revered Indian celebrations, Diwali, which comes every fall, marks both the lunar new year and the spiritual “victory of light over darkness, good over evil, and knowledge over ignorance.”

Celebrated all over the world, it's a holiday that is recognized by many faiths, including Hindus, Sikhs, Jains, and Buddhists. ■

## A Q&A with AAHOA Chair Vinay Patel and Tina Patel

### WHAT DOES THE HOLIDAY MEAN TO YOU AND YOUR FAMILY?

For our family, it means a holiday to spend time with loved ones as well as a chance to embrace our rich culture and traditions. Diwali also marks the start of a new year, so it symbolizes a new beginning and a chance to set the right tone for the coming year.

### WHAT'S YOUR FAVORITE PART/ASPECT OF DIWALI?

There are so many things to love about Diwali that you can't pick just one! However, our family loves all the fireworks and lights and celebrations with friends and relatives. We love how several holidays and rituals all happen around the same time of the year, such as Navratri, allowing us to further embrace our culture and

giving us more opportunities to spend time with family and our local Indian community.



### HOW DOES YOUR FAMILY CELEBRATE?

We celebrate in several ways. One way we celebrate is through all the color and decoration. We put lights, diyas, and candles all over our house and our creativity comes out through the rangoli we create on the floor of our home. Let's just say we kind of go crazy with all the arts and crafts surrounding Diwali!



It is so beautiful. And, of course, we enjoy lots of sweets and delicious food made by our friends and family. Such a fun time!

### DO YOU HAVE A FAMILY TRADITION THAT YOU HONOR EACH YEAR RELATED TO DIWALI?

We buy gold and silver every year at this time as it is considered good luck to do so. We exchange gifts and express appreciation toward one another. And because Diwali is the start of a new year, we pray for prosperity, good fortune, and wisdom in the coming year.



### WHAT'S YOUR FAVORITE INDIAN SWEET/DESSERT TO SERVE FOR DIWALI CELEBRATIONS?

We love them all! Rasmalai, mohanthal, mysore pak, gulab Jamun, the list goes on and on. Vinay and our son Jai's favorite is carrot halwa topped with vanilla ice cream!

We wish our entire AAHOA family a happy and safe Diwali and a prosperous new year!



Diwali is more than a festival, it's a celebration. A celebration of what life has given us and cherishing each and every moment. This year, our family will be celebrating the birth of our beautiful Baby Z, a few months ago. For us, Diwali is about looking back at the entire year and being thankful. Before our family immigrated from India in 2004, my favorite part was the fireworks. Even today, I still cherish those moments. Going with my parents to the fireworks shop is something I'll never forget.



– Nishant (Neal) Patel, CHO, Vice Chairman

Diwali means the triumph of light over darkness and that is why we light deevos inside our homes and hearts. We should forgive and forget past transgressions and welcome everyone with open arms. It means light over darkness, knowledge over ignorance, and good over evil. Widely observed among more than a billion people from a variety of faiths across India and its diaspora, the five days of Diwali are marked by prayer, feasts, fireworks, and giving to the less fortunate and charities.



– Bharat Patel, CHO, CHIA, Treasurer

My favorite aspect of Diwali is coming together and remembering what we are thankful for and reflecting on the chance to start over and reset ourselves each year. The one family tradition that I honor each year is calling and messaging family and friends throughout the day to wish them a Happy Diwali. This is one tradition that was taught to me by my family at a very young age and it will not change. No celebration in India is complete without sweets and it's the highlight of every celebration. My favorite desserts to serve are Halwa, Kaju Katli, Barfis, and Ladoos.



– Miraj S. Patel, MBA, CHO, CHIA, Secretary

We celebrate with 10 days of festivities, special bonding with siblings, the wearing of new clothes, colorful decorations, lighting up candles, and making a difference in each other's lives. So, for me, there is a deep meaning of love, care, respect, honor, responsibility, and celebration.



– Naresh (ND) Bhakta, Greater Los Angeles Area Regional Director

It's a time when we can slow down and appreciate each other. With our busy lifestyles, we often forget to cherish the little things and people in our lives.



– Sanjay M. Patel, Alabama Regional Director

Traditionally, either I or one of my siblings will invite everyone over for a dinner celebration. It's a time of gathering and appreciating your loved ones.



– Dharmesh Ahir, Southwest Regional Director

Diwali is the celebration of the year, giving back to others, and wishing family and friends a prosperous and joyful year.



– Dhiren Masters, CHO, North Texas Regional Director

Diwali is the celebration of the triumph of good over evil as represented in the story of Lord Rama's victory over Ravana. Diwali reminds us that no matter how difficult things might seem, the good will always win in the end. Namaste, Happy Diwali, and I wish you all a happy, healthy, and prosperous new year.



– Rahul Patel, Florida Regional Director

This holiday means spending quality time with my wife and daughters. We have always been together on Diwali.



– Sandip Patel, Washington DC Area Regional Director

The Diwali holiday is so important to our family. Every year, we make it a priority to spend the holiday together. Decorating the house with lights brings a nostalgic feeling to me that I love sharing with my children and grandchildren. I love that Diwali will be celebrated for generations to come.



– Mahendra (MZ) Patel, Mid Atlantic Regional Director



# Rough skies ahead

## Marketing strategies for an unpredictable world

by GINO ENGELS

**T**HE EFFECTS THE PANDEMIC has had on the travel industry are immeasurable. Never-before-seen challenges and technological innovations emerged, and global legislation and policy largely governed the travel industries, while many hoteliers adapted advanced solutions to support social-distancing protocols. As hoteliers begin to navigate the sector's recovery, aiming to stand out from competitors in an increasingly competitive era, one pressing challenge has emerged: How do hoteliers market to the post-pandemic traveler?

The behavior of today's consumers has been radically shifted by COVID-19, a change that is certain to impact marketing strategies for years to come. Guests are increasingly prioritizing contactless amenities and relaxed cancellation policies, and responding more positively to increased engagement and inspirational content, which gives hoteliers insight into what their new marketing strategy may

look like. But as the pandemic continues to impact the market, consumer behaviors will only continue to shift.

Properly adapting to the rapidly evolving needs of the post-COVID traveler will be no easy task, as hoteliers can no longer rely on historical data to deliver the demand insights necessary for successful marketing strategies. Instead, hoteliers should pivot to using predictive forecasting from forward-looking data. By harvesting and aggregating data from a variety of sources, hoteliers can gain a valuable glimpse into the first signs of a shifting market, including emerging behaviors and trends, and accordingly adjust their marketing strategies.

### VITAL MARKETING

The recent disruptions in the hospitality market mean that using historical data can offer a misleading perspective. The key benefit of utilizing predictive forecasting is that its data is rooted in current market trends, helping hoteliers understand how

traveler intent is actively fluctuating. With this information, hoteliers can navigate a rapidly shifting market to make more informed decisions.

The effects of COVID-19 are still rattling the industry as new outbreaks, changes in travel restrictions, and vaccine rollouts drastically impact demand across the globe. Hoteliers must keep a constant eye on the shifting market and ensure marketing efforts are targeted toward areas of high demand. With predictive forecasting, hoteliers can continually utilize real-time market intelligence, including elements such as vaccine distribution rollouts and social-distancing measures, to capitalize on even the most minute market changes. Armed with insights into commonly emerging booking dates, lengths of stay, and traveler intent from predictive forecasting, hoteliers can create marketing strategies that target regions experiencing high demand and specific traveler demographics, ensuring boosted revenue and a higher ROI.

### FORWARD-LOOKING DATA

Predictive forecasting relies on forward-looking data, which is comprised of several different sources. Its foundation is always a hotel's existing reservations, which can provide hoteliers with an in-depth analysis of the vital demographics involved in realized sales, such as the geographical origin of a booking, duration of stay, and dates booked. The volume of hotel queries on search engines and OTAs is an additional crucial factor, offering insight into shifting trends and emerging demands. Although these don't always lead to bookings, they can give hoteliers an idea of a traveler's intent and potential booking patterns. Additional parameters used to create a complete picture of the current market and subsequently predict future trends can include competitor insights and GDS bookings.

To gather forward-looking data points, track global recovery, and spot early signs of demand, hoteliers can harness free insight tools available through search

engines and industry-leading marketing solution providers. Integrating advanced marketing software can additionally provide reliable insights based on real-time demand, equipping hoteliers with the tools necessary to create an actionable marketing plan. Using this information, marketing teams can refine their strategies and develop personalized promotions and offers based on real-time demand. With key source markets identified, geo-targeted advertising campaigns can not only drive further revenue but also ensure that market budgets are allocated to promote a high ROI.

Powerful data solutions can provide hoteliers with expert support in sifting through unnecessary data points, which can dilute the reliability of a forecast. When choosing a new data solutions tool, hoteliers should ensure that the technology can integrate seamlessly, alleviate manual workloads, and guide hotels to better, more data-driven decisions. Additionally, partnering with a

data solutions provider can help hoteliers develop a proactive, data-driven strategy that perfectly positions their properties to succeed in the new business environment by seizing upon emerging marketing opportunities before the ability to respond is missed. ■



*Gino Engels co-founded OTA Insight in 2012. The company has since grown from a small disrupter challenging an established marketplace to a business supporting more than 55,000 hotels and accommodation providers in 185 countries. As CCO, Gino works with the hospitality industry's most progressive innovators as well as established global and local players to deliver a suite of industry-leading technology solutions. He leads the go-to-market efforts and drives the continued development of OTA Insight's product portfolio, driven by the company's mission to help the hospitality industry visualize and leverage its data.*

# Avoiding HR claims

## Defensible terminations in a post-pandemic world

by JOHN A. MAVROS and KELSEY L. WONG JAVIER

**T**HE CORONAVIRUS PAN-  
demic has upended life as we know it, and many industries, including hospitality, are still facing the uncertain, long-lasting effects of the virus, including a shortage of workers. However, the rise of COVID-19-related wrongful termination claims alleging retaliation and discrimination have risen dramatically during the past year and half.

Across the nation, from Feb. 1, 2020, to Sept. 1, 2021, more than 3,400 traditional employment cases against employers have been filed as a direct result of the pandemic. Of the filed cases related to COVID-19, nearly half (approximately 1,580) involve claims of retaliation or discrimination. This includes claims alleging discrimination for taking COVID-19 leave and retaliation for complaining about COVID-19 safety protocols.

As a hospitality employer navigating the complexities of COVID-19, how can you ensure a defensible termination to avoid an HR claim and/or employment lawsuit? Here are five steps hotels must take to protect against pandemic-related discrimination and retaliation claims:

### 1.

#### UPDATE EMPLOYER POLICIES

If your company updated its health and safety policies to address COVID-19, you also should ensure your employee handbook has strong anti-discrimination and anti-retaliation provisions. The absence of these policies will only strengthen a disgruntled employee's wrongful termination lawsuit. Receipt of all new policies should be acknowledged by employees in writing.

### 2.

#### DESIGNATE A POINT PERSON TO HANDLE COVID-RELATED CLAIMS

Depending on the size of your company, designate an individual or group to respond to COVID-related issues, including, for example, employees testing positive for COVID-19 or requesting COVID-related leave. This individual or group should also investigate complaints of unsafe working conditions and COVID-safety violations to ensure a timely investigation is conducted and that an appropriate response is provided.

“

During this time of uncertainty, employers should be clear that employees should feel comfortable reporting COVID-19 concerns or taking COVID-19-related leave, and that they will not face any retaliation.”

### 3. TRAIN ALL SUPERVISORS/ MANAGERS

General managers and department supervisors should be trained to identify potential COVID-related complaints or requests for leave from their direct reports. They also should be trained to escalate and communicate these concerns to the company’s point person.

### 4. DOCUMENT, DOCUMENT, DOCUMENT

Most importantly, you must clearly document all relevant reasons for any termination. Just because an employee is “at-will” does not mean you can skip providing a reason for the termination. In fact, a written notice identifying the legitimate reasons for the termination is a necessity, especially in a post-pandemic world. The failure to identify a reason for termination leaves the door open for employees to “fill in the blank” as to why their separation was illegal.

### 5. COMMUNICATE AN OPEN-DOOR POLICY AND ASSURE NO RETALIATION

During this time of uncertainty, employers should be clear that employees should feel comfortable reporting COVID-19 concerns or taking COVID-19-related leave, and that they will not face any retaliation. Not only will this benefit your company’s employee relations, but it might help your company avoid COVID-19-related wrongful termination lawsuits.

By integrating these five steps into your HR best practices, you will be head and shoulders above other employers, not only in preventing wrongful termination claims but also in defending one should it arise. ■



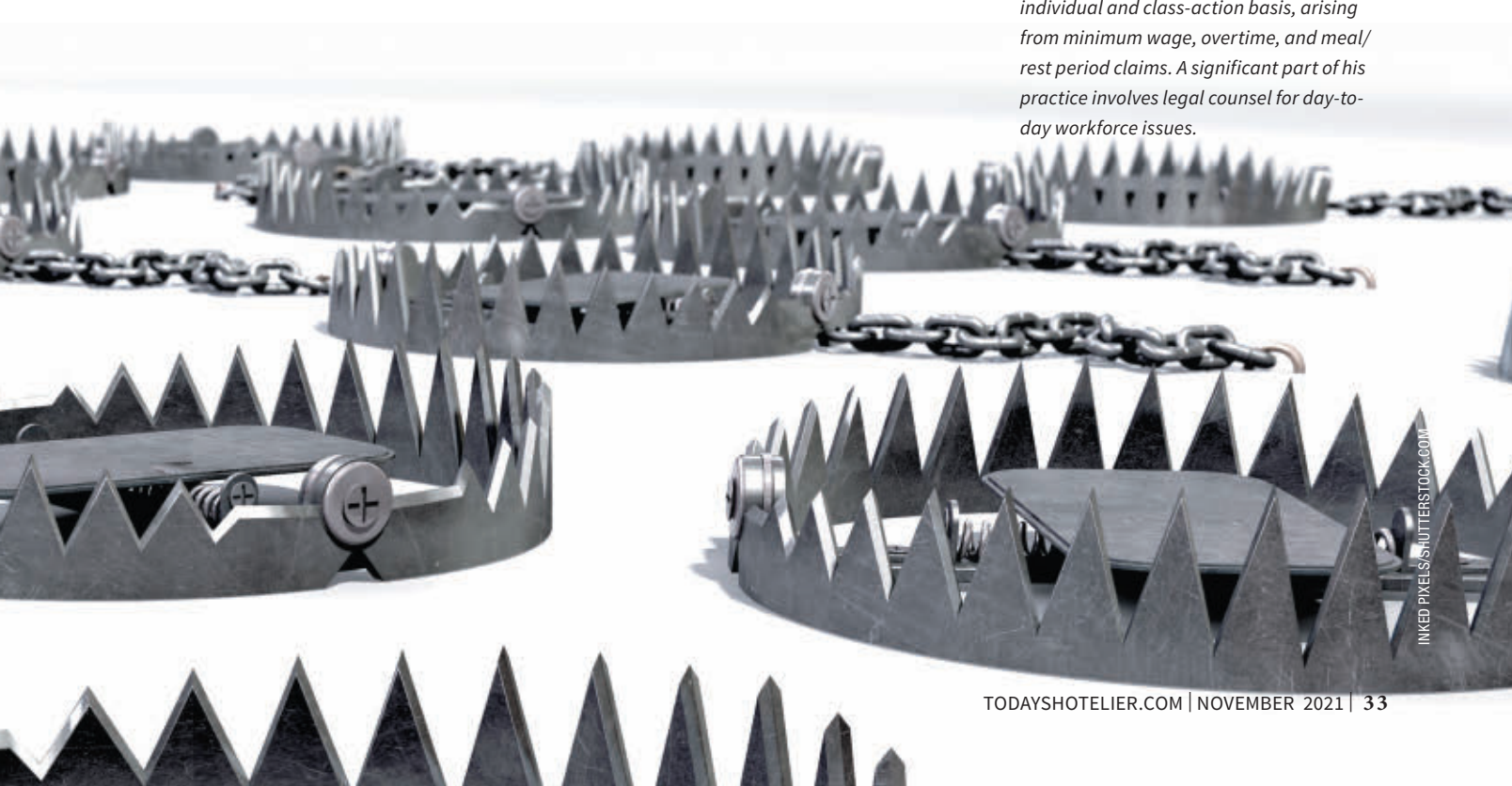
*Kelsey L. Wong Javier, Esq., is an associate in Fisher Phillips’ Irvine office, representing employers and management in a variety of employment law*

*matters, including discrimination, harassment, retaliation, wrongful termination, wage and hour litigation, and other employment-related claims in state and federal court. Prior to joining Fisher Phillips, Kelsey represented a broad range of employers, from small businesses to national corporations, in all areas of employment law from inception to resolution. Kelsey also defended companies in products liability, personal injury, and general liability litigation.*



*John A. Mavros, Esq., is a partner in Fisher Phillips’ Irvine office, regularly litigating employment claims on behalf of management and*

*employers. He represents clients in all aspects of employment law, including wrongful termination, discrimination, harassment, and retaliation. He also defends unpaid wage claims, on both an individual and class-action basis, arising from minimum wage, overtime, and meal/rest period claims. A significant part of his practice involves legal counsel for day-to-day workforce issues.*



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# Know your worth

## How to decide whether to use an intermediary for acquisitions and refinancing

by RUSHI SHAH

**N**ALL HIGH-STAKES BUSINESSES, value is such a fungible concept that it needs to be created and clearly demonstrated before players involved in a transaction will realize its worth. Value can be examined from two different vantage points – intrinsic and extrinsic value. Intrinsic value may be more difficult to quantify, such as the value that an intermediary or investment banker brings to a commercial real estate or hotel financing transaction. Extrinsic value is clearer and can be calculated using a spreadsheet. While maximizing both types of value is important, making the mistake of downplaying the benefit of intrinsic value can cause borrowers to lose time and leave money on the table.

### INTRINSIC VALUE

An intermediary or expert with understood knowledge of the industry and its participants brings advantage to a deal that can be hard to articulate. Let's examine the ins and outs of strategic value creation when borrowers involve the appropriate resources right from the get-go of a transaction.

The best way to realize the intrinsic value of using an intermediary is to work with one. Experienced sponsors who have used professionals to help them finance large-scale real estate in the past already understand that they would not have enjoyed the same outcome without the right advisor's help. Many would even go so far as to say they wouldn't even attempt another transaction without that specialist by their side. For borrowers who haven't used an expert resource, measuring the value that one delivers can be more difficult. Here's a classic case study of needing to try before you buy. All of us likely have at least one digital video recording device,

or DVR, in our households. Accordingly, we can't imagine life without it. When the technology was first introduced, however, it was a different story. Without using it firsthand, consumers couldn't understand the value of the device and didn't see how it would benefit their daily lives. Adoption was slow and without critical mass, early pioneers such as TiVo ended up as casualties. As more companies introduced the concept, however, more consumers had an opportunity to try it out. TV viewers realized the convenience and improved media experience it provided, and the rest is history.

This need to experience value before realizing worth can be directly correlated to valuing a financing intermediary. Borrowers who have never used an intermediary often ask, "Why should I pay a success fee for a service I can just do myself using the internet or by cold calling lenders and equity sources?" Here's why. One way a good intermediary creates intrinsic value is through an ability to convince lenders or investors to want to fund a deal, purely because of the expert's close relationship and successful track record with those capital sources.

Another clear benefit an experienced intermediary brings to the table is experience on the financing battlefield. The intermediary has amassed an arsenal of proven strategies, structures, and creative tactics that can make a deal work. As everyone knows, hindsight is 20/20, but having key knowledge up front often leads to millions of dollars in savings in the end. Another way to look at this concept is by





“While maximizing both types of value is important, making the mistake of downplaying the benefit of intrinsic value can cause borrowers to lose time and leave money on the table.”

considering the potential opportunity cost for not using an expert. What obstacles, wasted time, or unattractive terms could have been avoided by having an expert by your side?

**EXTRINSIC VALUE**

Using an intermediary can also deliver extrinsic value, which is much easier to quantify. For example, by using market knowledge of bond’s spread and pricing within the greater credit markets, a smart mortgage banker can often negotiate savings that are beyond a single owner or developer’s reach. In addition, there is a clear incentive for lenders and capital sources to protect their relationship with a high-performing deal source, as they don’t want to bite the hand that feeds them. This gives an intermediary more leverage than a borrower, who has

a smaller portfolio of potential transactions. Capital sources are also often less inclined to change the deal or re-trade the terms if an experienced mortgage banker is involved vs. an inexperienced mortgage banker or a borrower without proper representation. Yes, a fee saving at closing might seem valuable, but a client without an expert by their side could face increased closing costs, higher reserve requirements, badly negotiated legal terms, and higher rate pricing. These missed savings would likely more than offset any fee an experienced mortgage banker would have charged. Furthermore, an effective advisor can strategically act as the bad cop on behalf of the borrower to negotiate and deliver the absolute best terms on the deal. The mortgage banking business has been around for decades and will continue to be around for decades to

come because of the amount of value that is created by experts. ■



Rushi Shah is Principal and CEO of the commercial mortgage and real estate investment banking firm and A AHOA Allied Member Mag Mile Capital. As a

leader in hospitality financing, Shah specializes in structuring and placing highleverage, nonrecourse bridge and permanent debt with cash out for full- and limited-service hotels nationwide. Since joining the firm’s predecessor, Aries Capital, in 2015, Shah has structured and closed hundreds of millions in financing for all property types. Shah has held previous positions at Northern Trust and has an MBA from the University of Chicago’s Booth School of Business.

# The FINAL FRONTIER?

## Optimizing the customer experience is a long-term investment

by FRANCIS X. GARCIA

**A** RECENT MCKINSEY & COMPANY ARTICLE, EXPLORING THE INDUSTRY'S READINESS FOR THE LOOMING TRAVEL BOOM provided some timely and relevant advice to travel and hospitality companies. On the topic of customer experience, it stated, "Invest innovatively to improve the entire customer journey. While cash might continue to be in short supply, an area still worth considering for overinvestment is digital operations. Remember that the customer experience is shaped across the entire end-to-end journey, from booking to travel to the return home."

Recent investment trends and industry dialogue indicate customer service will continue to be an industry cornerstone and will have a sizeable impact on shaping the future of hospitality and travel.

But what exactly is meant by "customer experience" in the hospitality industry? While there are many definitions, one of the more succinct characterizations comes from SaaS provider Zendesk, stating that "Customer experience involves every way a customer interacts with a company at all stages of the customer journey."

This definition correlates well with the solutions that have been developed for the full journeys of our guests and travelers.

What are the most important criteria when evaluating investment in a robust customer experience platform for your hotel? The answer can get a bit complicated because there are so many variables and so many features dedicated to providing solutions at every step of the guest journey. Top-of-mind products and solutions might include omni-channel guest messaging, more direct bookings, AI chatbots,

reputation management, contactless engagement, on-premise transactions, keyless entry, and more. These solutions, all timely, helpful, and relevant, do a great job of leveraging today's technology to help us communicate more frequently and in new and better ways with our guests.

When making a long-term investment in customer experience, however, it may be worthwhile to think beyond the "now" and consider the long-term benefits of investing in a scalable platform with which your hotel can grow. In other words, hoteliers may want to consider investing in a comprehensive, flexible platform that allows for the implementation of one solution now, and scaling with more extensive solutions as needed in the future. In the long run, the right platform can prepare and support multi-property hospitality and OTAs for years to come.

When considering a guest experience platform, there are two capabilities that aren't typically top of mind but can go a long way to supporting a company's long-term goals throughout an unpredictable

future. Those two strange bedfellows are technical integration and guest segmentation. Let's delve a bit deeper.

### TO BOLDLY GO...

Brian Burke of Gartner recently published "The Top Strategic Technology Trends of 2021," in which he explained nine separate trends, including "The Internet of Behaviors." This "IoB" captures the digital dust of people's lives from a variety of sources, and that information can be used by public or private entities to influence behavior. The data can come from a range of sources, including commercial customer data, social media, and facial recognition, and as more and more data becomes available, the IoB will capture increasing amounts of this information.

Additionally, the technology that puts all the data together and draws insight is growing increasingly sophisticated. Burke's perspective may lead some to believe that a platform for the future must be capable today of quickly integrating with myriad systems, including PMS, POS, CRS, OTA,

*Continued on page 39*

Ultimately all this technology integration isn't worth much to the hospitality industry if it fails to improve the guest and traveler journey. Some things to consider that will help to ensure hotelier success:

## What is **YOUR** prime directive?

- Does the platform store and organize this tidal wave of data within unified guest profiles that never stop growing?
- If you are already committed to a database system, does the guest experience platform integrate guest data smoothly into your existing guest database?
- Can the guest experience platform allow you to easily isolate data points through micro-segmentation to create and reach highly targeted audiences?
- Can you leverage this segmentation by simultaneously creating a relevant communication using your hotel's own custom content and beautiful imagery?
- Ultimately, does this unified guest profile, micro-segmentation, and campaign implementation lead to improved guest satisfaction and, importantly, new revenue opportunity?



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It may be worthwhile to think beyond the ‘now’ and consider the long-term benefits of investing in a scalable platform with which your hotel can grow.”

CMS, IOT, MDM, Wi-Fi, and payment gateways, as well as communication channels like email, voice, SMS, WeChat, WhatsApp, Alexa, Google Home, and more. Right now, providing seamless integration into these systems is probably the best indicator of the platform’s flexibility and readiness to adapt and integrate with technologies of the future, which may not even exist yet.

When evaluating customer experience platforms, you need to determine whether the platform is scalable. For example, can a hotel start by introducing (and paying for) only one product module and then grow guest experience capabilities over time, on their own schedule, on one single integrated platform? Has the platform already demonstrated rapid deployment and speedy integration capabilities? If a platform cannot integrate today’s tech with speed, then tomorrow’s tech may not be integrated until it becomes obsolete. Has the platform already integrated with industry leaders like Oracle, Sabre, and Agilysys, as well as other smaller providers?

It’s difficult to identify the “internet of things” integration that will be required by robust guest experience platforms in the future. For example, the “original” flip phone of the 1990s still hasn’t led to the capabilities of the truly original flip phone used by Captain Kirk and Spock.

**LIVE LONG AND PROSPER**

The Gartner paper also speaks of “hyper-automation” as a key tech trend of 2021. Does the guest experience platform your hotel may be considering leverage automation in a meaningful way that puts micro-segmentation to work 24/7, without any human oversight? In other words, can you automatically greet VIP guests with one message, high-frequency guests with a different message, while also providing all spa enthusiasts with a valuable offer and simultaneously alerting appropriate staff that a guest in room 109 at your Albuquerque property has just complained about bugs in the room? Does your platform automate follow-up until staff confirms the issue has been resolved to the guest’s satisfaction? Is your platform ready to utilize

hyper-automation in a way that monetizes ever-growing unique guest profiles and the micro-segmentation that it enables?

Of course, investing in a messaging app with survey capability that reaches more of today’s guests is a very good thing. These communication techniques will soon become the norm and guest expectations will coincide. At the same time,

a comprehensive scalable platform can keep you ahead of guest expectations and quickly become the epicenter of your guest experience management and remain so for decades to come. ■



*Francis X. Garcia is VP Marketing & Development with VenueLytics, a supplier of complex backend integration solutions, as well as analytics and AI services.*

*He can be reached at (408) 833-9987 or [fxgar@venue.lytics.com](mailto:fxgar@venue.lytics.com).*

**Happy Diwali!**  
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# Shared risk

## How reinsurance triggers multi-layer insurance policies

by LUIS R. ESTEVES and JAMES MONTALBANO

**R**EINSURANCE, ALSO known as insurance for insurers, is a practice by which insurers transfer a portion of their risk to other insurers. In this way, risk is spread out to protect a single insurance company from too much exposure due to a large event or natural disaster. Many insurance companies may want to offer coverage to a hotel or multi-family property but won't want to take on the entire risk of a policy. Joining with one or more companies that also are interested in providing coverage is a way for the original insurer to lower its own risk.

To put things into perspective, a large insurance company may not have to take the reinsurance route because they alone can cover the total risk on a large property or group of properties. Companies that might not be able to cover the risk on their own may offer layered policies to commercial property owners. Some insurance companies will get reinsured themselves to lower risk. Reinsurance is reinforcement for insurance companies. Multi-layer insurance policies are the byproduct of the insurance company's participation in reinsurance.

### COMMERCIAL PROPERTY OWNERS

Many hoteliers and multi-family property investors don't have just one policy in their insurance policies. If one company assumed the risk on its own and some type of catastrophic event occurred, the damages could bankrupt the insurance company and possibly not cover the loss for the insured.

With reinsurance, a broker puts together an insurance plan. Insurers can buy into the policy by offering, say, 20% of the coverage and sharing the premium. In the case of a claim, each insurance partner is responsible for its portion of the policy.

For a hotelier, having a multi-layered policy can mean adequate coverage that may come with a better rate. On the claim side, it takes longer because an adjuster from every insurance company must come out to assess damage. Once the primary adjuster decides on the scope of the damage, they must hand it over to the second adjuster and so on. Each insurer must write a check, which makes payments slower.

After Hurricane Sally in 2020, large insurance companies didn't want to insure condos on the water. Condos were required to have secondhand carriers and,



in many cases, had four, five, or six layers in their policy. Claims were taking more than 90 days to solve.

A public adjuster is needed in cases such as these, so you don't wind up trying to convince several people on the scope of damages repeatedly.

**RISK IN LAYERED POLICIES**

If an insurance company has 20% of a \$10 million policy and the loss is \$5 million, once you get past the first \$2 million, the insured must go through the same process of adjustment with carriers 2, 3, and so on. Things can get complicated at this point because once \$2 million in damages has been surpassed, carrier 1 may not want to pay a consulting firm to prove \$5 million in damages. After \$2 million, they pay their portion and move on.

This may work out fine for carrier 1, but they did not do what was needed for the next carrier to take over. Carrier 2 must assign its own adjuster and restart the process since carrier 1 didn't prepare a proper estimate as they knew the claim exceeded \$2 million.

When dealing with a multi-layer policy, the first question to ask is, "Which insurance adjuster is going to take the lead?"

Then, pick one company, usually the one with most risk, to run the claim. All the other insurance adjusters are then copied on developments via email. That way, you can prevent arguments coming out of left field. All bases are covered early on, and everything is properly documented to avoid the inevitable comments of "Where was this documented?" or "We're not paying for that!"



*Luis R. Esteves is the Principal and Executive General Adjuster for Jansen/Adjusters International. Luis handles between \$500 million and \$1 billion in losses annually and has more than 20 years of experience with adjusting complex claims. For more info, visit [jansenai.com](http://jansenai.com).*



*James Montalbano is a licensed Public Adjuster for Jansen/Adjusters International specializing in representing the policy holder in the settlement of large policy claims from \$200,000 to \$4 million+.*

# AAHOA MEMBERS IN ACTION



**1.** AAHOA Members in the Southwest Region raised more than \$15,000 in just four days to help four police officers in Albuquerque, NM, who were injured in a shootout when they responded to a robbery. The effort by members, including former Southwest Regional Director Imesh Vaidya (center, arms crossed), was to help the officers and their families during their recovery. Rebecca Atkins, an Albuquerque Police Department spokeswoman, said officers Mario Verbeck and James Eichel are “doing well” at University of New Mexico Hospital.



**2.** AAHOA Chair Vinay Patel (second from right), Past Chair Biran Patel (far right), and Vice Chairman Nishant (Neal) Patel (second from left) joined Regional Director Akshat Patel (third from right) and others at the North Carolina Region Charity Golf Tournament. Held August 28-29 in Concord, the event raised nearly \$100,000 for 12 worthwhile charities.



**3.** AAHOA Chair Vinay Patel gave remarks and an update at the Northwest Regional Conference & Trade Show.



**4.** Past Chair Biran Patel (second from left) was on hand to support Regional Director Bhavesh N. Patel (third from right) during the North Central Region Charity Golf Tournament.

**5.** AAHOA President & CEO Ken Greene (far left) helped welcome a packed field for the North Pacific Region Charity Golf Tournament.





**6.** Regional Director Hiten Patel (far left) got an assist from AAHOA Chair Vinay Patel (far right) in handing out trophies at the Northwest Region Charity Golf Tournament.



**8.** Then-Regional Director Imesh Vaidya (left) and Past Chair Biran Patel congratulate Director at Large Prashant Patel for having one of the winning tickets in the raffle at the Southwest Region Charity Golf Tournament.



**7.** Vice Chairman Nishant (Neal) Patel (second from left) came out to support then-Regional Director Sawan H. Patel (far left) during the Southeast Texas Region Charity Golf Tournament.



**9.** Then-Female Director Western Division Nimisha Patel (far left, kneeling) and Female Director Eastern Division Lina Patel (kneeling, next to Nimisha) welcomed a large and enthusiastic gathering at the Women Hoteliers Reception, held in conjunction with the North Central Region Charity Golf Tournament. Past Chair Biran Patel (far left, seated), North Central Regional Director Bhavesh N. Patel (second from left, seated), Chair Vinay Patel (far right, seated) and Secretary Miraj S. Patel (second from right, seated) were on hand to show support.

## AAHOA CLUB BLUE, PLATINUM & SILVER MEMBERS

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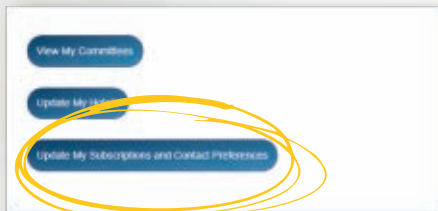


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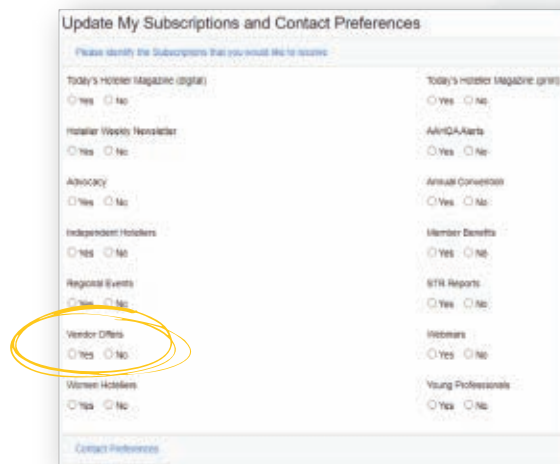
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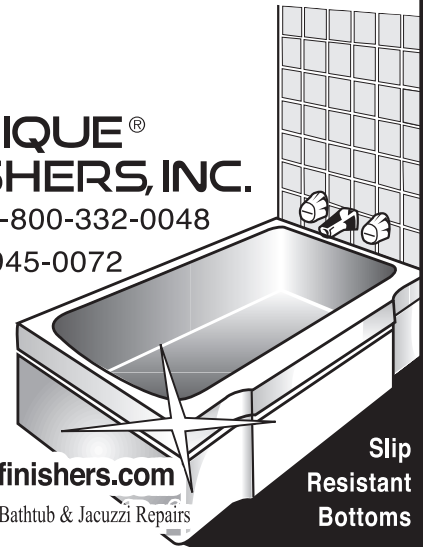
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