

September Hospitality Hotline News

Maryland Restaurant Week

Rather than hold our Fall Restaurant Week, we will participate in and promote The Restaurant Association of Maryland's Restaurant Week. Our restaurant members can participate for FREE.

Here are the details from RAM:

RAM is thrilled to announce Maryland Restaurant Week! Unlike your typical restaurant week, we're bringing all counties and all restaurants in Maryland together for a first-of-its-kind, week-long effort from September 18 to 27th -- all in support of our industry. No course requirements, no prix-fixe menus needed, and no entry fees. Restaurants may offer special menus, discounts or seasonal fare for dine-in, curbside, or carryout. There is no cost in order to participate! If you'd like to participate, please complete the [submission form on this page](#) to be added to the Maryland Restaurant Week 2020 website. You may also [Click Here to download a one-sheet](#) with information about the event.

Questions? Contact Kim at kschlosser@marylandrestaurants.com

Mental Health in the Forefront

I think we can all agree this was the hardest summer in a really long time, and I'd venture to also say some of us can't believe it has flown by! Here we are on September 1st, more than five months since life as we knew it changed how we would operate moving forward. Let's all remember, we are blessed to live in a community that will help one another as we continue to move forward. One of those blessings is *Worcester Youth and Family Counseling Services*. WYFCS is led by Dr. Jennifer Leggour who has created coping tools videos which can be found at this You Tube link: [Coping Videos](#). These videos are a great resource for both you and your staff, so please share!

Update from the Seasonal Workforce Committee

Advocacy efforts are in full swing at this time, with thousands of people across the USA doing what they can to support the J-1 Programs. Please note that the OCHMRA & Chamber are very active in the advocacy, and Ocean City will continue to be on the frontlines of these efforts. There has been a court hearing regarding the preliminary injunction concerning one of the lawsuits against the Presidential Proclamation. You can read more about it

here: <https://www.forbes.com/sites/stuartanderson/2020/08/10/court-case-against-trump-immigration-and-visa-ban-moves-forward/#31134dcaa9c2>

The Alliance for International Exchange' second phase of their #SaveJ1 Campaign is ongoing at this time. You can find out more information, and also what you personally can do to support the J-1 Programs, at the following link: <https://www.savej1.org/>

We are very hopeful that the Summer Work Travel Program will be operating for the 2021 summer season and I will continue to provide updates to our members. In the meantime, if you have any questions or concerns, please do not hesitate to contact me! --- Carrie Linch, Chair Seasonal Workforce, carrie@aspireww.com

Conversation with the Comptroller

Recently, the OCHMRA was invited to a meeting with Comptroller Franchot to discuss the state of business. The discussion began with our request to postpone the increase of minimum wage which is slated to increase on January 1, 2021 to \$11.75/hr. While many of you are paying much more than that, we still felt it was important to suggest such. Franchot stated he did not support delaying. We next requested that the State revert the alcohol tax back to what it was prior to last increase - 6%. He was open to this idea and noted he had spoken with Governor Hogan and would continue to float the thought. Finally, we requested some sort of "travel tax free week" similar to the tax free for school shopping. Franchot liked this suggestion and noted he'd look into it. Finally, he was happy to share that the State is in strong financial health with \$500 million in the rainy day fund which he's requested the Governor use for additional small business grants.

Hospitality Sales & Marketing Partnership Update

For the last year or so, hotel sales people have been coming together to discuss groups and how to attract them. During one of the recent meetings, the group became a little more organized and will have an official Chair, Vice-Chair and Secretary. Thank you to Kim Mueller with Harrison Group for stepping up to serve as Chair, Norma Doborowolski with the OC Convention & Visitors Bureau will be the Vice Chair and Sherrie Jenkins with Pinnacle Hospitality will serve as Secretary. HSMP will fall under the OCCVB and they will have a permanent seat as Vice Chair to maintain the consistency. As the familiarization tour had to be cancelled, the group is now working on a familiarization video. Jenna Knight with the OCCVB is gathering the groups notes and working with Dave Messick from Unscence Productions to develop the video.

Workforce Scholarship Available

Please share with your staff.....

The Greater Ocean City Chamber of Commerce Foundation has a way of rewarding your best and brightest employees by enhancing their skills, therefore making them more valuable to you. It's scholarship money for workforce development. The scholarships will be awarded in October and a formal presentation will take place in December at the Chamber Business After Hours. As you know, it is a critical time in OC and the workforce development issue is mounting. Let's grow the staff we currently have and reward those heroes who have been in the trenches this year.

Here is a link to the application: [Application Link](#)

ADA Drive By Lawsuits Cropping Up Again

One of our members was recently made aware that they are being sued for an ADA website accessibility violation. A fellow hotelier who is a member of the American Hotel & Lodging Association has been able to glean a little more info for us to share. Here is the info:

Essentially this is a two prong issue: 1). AHLA is seeing lawsuits/demand letters filed for the website not being accessible 2). and/or for the website not including the appropriate information related to the accessibility of rooms.

Currently, there is a lack of regulation from the Federal government related to accessible websites under the Americans with Disabilities Act (ADA). Instead, they insist on a "general requirement" that websites need to be accessible to the public. In 2016, the American Hotel & Lodging Association (AHLA) filed comments with the Department of Justice (DOJ) on their proposed rulemaking for website accessibility under Title II of the ADA. These were the precursor for Title III rules, which govern private businesses, open to the public. Unfortunately, in 2017, the Trump administration put these rules on the inactive list – essentially ending website accessibility guidance from the DOJ.

The courts have decided to take it upon themselves to legislate from the bench through several high-profile cases. In these decisions, the courts have ruled that websites are covered under the ADA (DOJ has agreed with this) and while there are no federal guidelines, they have cited WCAG (website content accessibility guidelines) 2.0 guidelines as "appropriate" for website accessibility.

Here is that link: [content guideline link](#)

This chain of events has opened the flood gates for unscrupulous attorneys to send out mass blanket demand letters and lawsuits accusing a business' website of not being in compliance. In order to address this massive gray area for hoteliers, AHLA has been working with Congress to push the Department of Justice (DOJ) to adopt guidelines for website accessibility and to halt all current and future lawsuits until the guidelines have

been set. This would allow businesses time to be compliant and to protect themselves from future suits.

In response to a letter sent by over 100 members of Congress, the DOJ admitted that they were considering promulgating website accessibility again, but more importantly stated that businesses have flexibility to comply with the ADA's general requirement. The AHLA's coalition of business organizations working on this issue recently met with Assistant Attorney General Eric Dreiband, who heads up the Civil Rights Division at the Department of Justice. Their goal was request the DOJ (1) to find a way to issue guidance - perhaps through an amicus brief and (2) ask if the DOJ appear in cases of serial filers and seek dismissal. Unfortunately, they have yet to see the DOJ move forward with this request, but it was important for the group to voice this concern with the AAG himself.

AHLA has created several tools that are available to members to help insulate them from these accessible website suits. Last year, they held a webinar with our ADA outside counsel, Minh Vu from Seyfarth Shaw, who went into great detail on what hoteliers need to do to ensure they are in compliance with the ADA's general requirement. AHLA has an ADA guide that gives an overview on all things ADA and how it relates to the hotel industry. This goes into website accessibility as well. If you would like a copy, please email susanjones@ocvisitor.com.

Content suits are actually covered in the 2010 revision to the ADA. The rules were designed to ensure that people with disabilities have enough information about the accessibility of the common areas of the hotel as well as the accessible rooms to make an informed choice.

AHLA recently held a webinar to refresh members on what they need to do to ensure that they are in compliance with the regulation. [Webinar Link](#)