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KIRIRI WOMEN'S UNIVERSITY OF SCIENCE AND TECHNOLOGY
UNIVERSITY EXAMINATION, 2024/2025 ACADEMIC YEAR
FIRST YEAR, SECOND SEMESTER EXAMINATION
FOR THE DIPLOMA IN HOSPITALITY MANAGEMENT
DHM 1624: LAW RELATED TO HOSPITALITY INDUSTRY

Date: 4th December 2024
Time: 2.30pm-4.30pm

INSTRUCTIONS TO CANDIDATES

ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS

QUESTION ONE (30 MARKS)

- a) Define the term Law (2 marks)
- b) Discuss the relevance of law to the hospitality industry (6 marks)
- c) Identify and briefly explain at least four main sources of law in Kenya (4 marks)
- d) Explain the hierarchical structure of the Kenyan Judiciary system and its relevance in dispute resolution in the hospitality industry (6 marks)

Case Study

Employment Performance and Dismissal Procedures: A Case Study of a Front Desk Manager in a Newly Established Hotel in Nairobi

Read the following case study and use it to answer question 6a and b below

A newly established hotel in Nairobi is hiring a front desk manager and has prepared an employment contract outlining key terms. The contract specifies that the manager will be responsible for overseeing guest check-ins, managing reservations, and ensuring customer satisfaction.

The hotel is committed to providing safe working conditions, including proper training on emergency procedures and hygiene standards for staff. In line with its policies, the hotel emphasizes the importance of diligence, expecting the front desk manager to perform their duties with efficiency and professionalism.

However, during the probation period, the manager frequently fails to meet performance expectations, leading to a discussion about potential dismissal. The hotel management is considering termination based on the grounds of poor performance, while also ensuring they follow fair dismissal procedures.

- e) What constitutes a fair dismissal? (2 marks)
- f) How does it apply to the front desk manager's situation in the case study? (2 marks)
- g) Provide an example of a scenario where the hotel could face legal challenges in dismissing the manager (2 marks)
- h) How can the hotel management ensure they have documented evidence of performance issues before proceeding with dismissal? (2 marks)
- i) Discuss the importance of this documentation in the context of fair dismissal (3 marks)

QUESTION TWO (20 MARKS)

- a) Define consumer protection law (2 marks)
- b) State its significance in the hospitality industry (4 marks)
- c) Explain how consumer protection laws regulate advertising practices in the hospitality industry, using relevant examples (7 marks)
- d) Describe the role of labor laws in ensuring fair treatment of employees in the hospitality industry (7 marks)

QUESTION THREE (20 MARKS)

- a) Define the law of tort and its importance in hospitality (6 marks)
- b) Discuss the legal principles of negligence and how they apply in a hospitality setting (8 marks)
- c) A guest sues a hotel for food poisoning after dining in their restaurant. Explain the hotel's potential legal liability under tort law (6 marks)

QUESTION FOUR (20 MARKS)

- a) Define the concept of employment contracts and their legal importance in the hospitality industry (6 marks)
- b) Explain the types of dismissal under Kenyan employment law and provide examples related to the hospitality industry (8 marks)
- c) Discuss the legal remedies available to an employee who is unfairly dismissed in a hospitality setting (6 marks)

QUESTION FIVE (20 MARKS)

- a) What are the essentials of a valid contract of employment in the hospitality industry? (6 marks)
- b) Discuss a case where the terms of employment were disputed and resolved legally (8 marks)
- c) How can hospitality businesses prevent disputes over employment contract terms? (6 marks)