

The Private Club Advisor™

A PUBLICATION FOR THE DIRECTORS, OFFICERS, OWNERS, AND MANAGERS OF PRIVATE CLUBS

• THE IMPORTANCE OF HUMAN RESOURCES •

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As the shortage of line level workers becomes a reality for many clubs, the importance of creating a positive workplace culture and being recognized as an employer of choice in the community is reinforced. Therefore having a high performing human resources (HR) department is more crucial for private clubs than ever before.

In today's legal landscape there is a heightened need to make certain fair and consistent business practices are maintained. Constant changes require HR to stay updated consistently on county, state and federal legal requirements that may impact payroll practices, breaktimes, overtime, paid and unpaid leaves, and time off policies and then update the rest of the team accordingly. For many clubs, payroll represents between 50 to 70 percent of operating expenses. Managing this resource in a formal manner ensures the likelihood that the very best and most productive employees are hired and retained, and that legal liabilities and risks are eliminated or reduced.

“Clubs that don't have a dedicated HR professional are opening themselves up to potential lawsuits and inconsistent practices,” explained Anne Catherine Nielsen of EquaMagna, a boutique human resources consultant. “Without constant coaching, training and guidance from a trained HR professional, department heads can unintentionally put the club at serious risk.” She cites making verbal promises to candidates, not following legal requirements for documentation and termination plus compliance with the law as common occurrences in clubs without an HR representative. “HR is the gatekeeper function of your organizational culture and it will help you mitigate costly lawsuits,” she explained.

While many clubs do have a human resources department, some clubs do not. Nielsen has a warning for clubs that don't have an HR professional on site: “You can't afford to be without a dedicated HR professional. In today's ever changing legal landscape, a dedicated and trained HR professional must be fully focused on strategically navigating legal guidelines, people practices and keeping your team in compliance on a daily basis. If you are unable to substantiate a full time HR professional, you may want to consider a part time HR professional or outsource HR. This solution meets your club's needs at a fraction of the cost.”

• GOLF CART LIABILITY •

As a result of technological advancements in golf, Top Golf-like facilities continuing to boom throughout the world and even Tiger Wood's Masters win earlier this year, many clubs are seeing an increase in new players to the game. The more inexperienced players on the course, the more likely golf related injuries can occur. The most common golf related injuries include golf carts, as inexperienced players are likely less familiar with proper golf cart operation, path location, course terrain and club rules. Thus more inexperienced players on the course may mean a higher risk of liability for clubs and courses alike.

According to Michelle Tanzer a private club attorney with Gray Robinson, “An important factor in avoiding golf cart liability is to take proactive steps in developing an effective risk management plan. Consult professional advisors (insurance representatives, legal professionals, etc.), form appropriate committees and place increased attention on common exposure points to mitigate risks,” she explained.

The most common areas of risk that should be incorporated in a risk management plan include poorly maintained carts and cart paths, inadequate or poorly placed signage,

