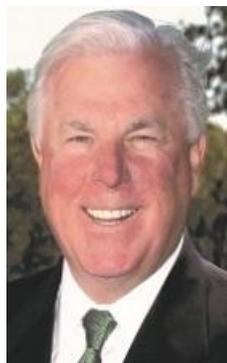


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Mr. Harvey

Insurance

Complaints About Poor Water Quality in Pools and Spas Can Sink a Hotel

By [Philip J Harvey](#), President, Venture Insurance Programs

For hotel guests, a pool can be the most inviting amenity on the property. For hotel operators, pool safety is an ever-present source of liability. Risks go far beyond the possibility of water-related catastrophic losses such as drowning or serious injury in a diving accident. The water quality of a hotel's pools and spas also poses significant safety issues.

The Centers for Disease Control and Prevention (CDC) says recreational water illnesses (RWIs) are on the rise and can manifest in a variety of skin conditions and gastrointestinal, skin, ear, respiratory and eye infections. Additional exposures include the unintentional ingestion of water.

The microscopic parasite Cryptosporidium, for example, has been responsible for many diarrheal illness outbreaks and is resistant to chlorine below certain levels. Giardia, Shigella and Norovirus are also found in improperly maintained pools. In addition, Legionnaires' disease from Legionella bacteria is found in warm water and can thrive in pool and spa water that is not properly maintained.

While the CDC reports the highest risk at public pools, even the most upscale hotel properties with multiple water amenities can expose guests to bacterial illnesses if their pools and spas are not properly maintained. In fact, it's not uncommon for a five-star hotel to have a two-star pool. This can happen when hotel operators base their compliance standards on Department of Health (DOH) codes, which only set the minimum standards acceptable and do not address maintenance, best practices, or many compliance and operational issues.

Categories of Risk

Failure to monitor and maintain water quality can result in a variety of insurance claims with escalating degrees of severity. The most common claims related to a hotel pool's water quality fall into three categories.

The first type of claim stems from a guest's complaint about the pool water quality, focusing on whether chemical levels in the water are too high or too low. Too high a level of chemicals can irritate the skin or ruin a bathing suit, while too low a level of chemicals can lead to bacterial growth and sicken swimmers.

This type of scenario is considered a nuisance or low-impact complaint and can usually be resolved by the hotel offering to pay for the cost of new bathing suits or a free room night. Settling customers' low-level complaints in this manner can get expensive at times, but such proactive settlement has another advantage: you may prevent guests from posting a negative review on TripAdvisor or Yelp or taking their complaints to the authorities.

This point leads to the second type of claim, one resulting from a complaint to the DOH.

I finally got our security system integrated with our fire system across the whole campus. Then they built a new building... And it was no problem."

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Depending on the location, a complaint may be made at the city, county or state level. At the very least, complaints to government health officials put the hotel and its operators on the government's radar and on the hook for years of regular inspections and the obligation to prove compliance with health standards. The hotel will also have to prove compliance with health standards. Bad press surrounding the complaint will likely follow and will stick in consumers' minds, even after years of compliance and good reviews.

The third type of claims results from legal action. A complaint that becomes a lawsuit can have long-term effects on a hotel's finances, from the time and money spent to defend potentially years of litigation and comply with a possible DOH investigation, to the inevitable negative press when word gets out. A guest's complaint can all too easily gain momentum and land a hotel in court, resulting in a costly claim.

In cases where more than one person is affected by the same water quality issue, the result may be multiple claimants, which increases the hotel's exposure.

While not common, it should be noted that bacteria in a hotel's pool, spa or hot tub can even lead to death. Guests have filed numerous lawsuits against hotels across the country alleging they contracted Legionnaires' disease from Legionella bacteria that was allowed to flourish in the hotel's pool or hot tub water. In 2012, three guests at the JW Marriott in Chicago died and another seven became ill from Legionnaires' disease after staying at the hotel over the summer. Tests found the hotel's pool, hot tub and locker rooms, as well as a fountain, were all contaminated with the Legionella bacteria.

Hotel Case Study

All of the scenarios described above are avoidable if the hotel takes the proper, proactive steps to maintain the complete mechanical systems and water quality of all its pools and keep accurate, up-to-date records of its compliance. An important step is contracting with a water quality maintenance expert to head off claims with serious legal consequences. This is exactly what happened in a recent case involving an ocean-front luxury hotel in the Southeast.

The operators of this luxury hotel had little reason to think its pools and spa were not up to the rest of the property's five-star features. But the beautifully designed, well-equipped aquatic amenities had begun to deteriorate after nine years in business. A new engineering director asked a water treatment provider, Commercial Energy Specialists (CES), based in Jupiter, Florida, to audit the quality of the water in the pools and spas at the property.

Preliminary findings discovered the aquatic amenities had fallen below acceptable industry standards. The hotel decided to contract with CES to establish a higher standard of pool operation and provide ongoing monitoring and maintenance.

A short time later, a hotel guest complained her daughter broke out in a bad rash and hives after swimming in both the hotel's pool and the spa. The guest expressed concern about the chemical levels in the pool and spa, and threatened legal action against the hotel. The hotel's assistant general manager immediately asked CES verify the water in the pool and spa was safe and code-compliant. Water-quality data for the four days the guest and her daughter stayed at the hotel were examined carefully.

The property was outfitted with equipment room control devices with remote communications, data logging, and alert notification on all seven of its aquatic amenities. CES and the facility monitored all seven bodies of water simultaneously via a secure remote connection and a 52-inch LED monitor on the wall of the hotel engineering department's main office.

CES accessed its charting software that tracks the major metrics for all of the water bodies in six-second increments to get a snapshot of the pools' chemistry from the day before the guest and her daughter arrived until they departed. The data showed that the circulation, filtration and water chemistry prior, during and after the guest and her daughter's stay was well within DOH guidelines.

CES then checked the daily wet test logs taken by hotel staff and found that they matched the controller's logs exactly, which validated the electronic logs. CES presented the guest with a copy of the logs that displayed the chemical readings for the pool and spa in which her daughter played. While the guest accepted the data, she still questioned what caused the rash and hives.

Further investigation by the hotel found the daughter had also gone for a swim in the ocean every day despite the posted signs warning hotel guests of a potential "sea lice" infestation in the ocean. Sea lice are microscopic jellyfish larvae that can become trapped in between a swimmers' bathing suit and skin, causing them to sting. Their stings usually cause an extremely itchy red rash, which may not appear until hours later.

Mystery solved. Once she had all the facts, the guest thanked the hotel for its assistance



Set a New Service Standard Lose the Standard Operating Procedures

By *Scott Hale, Chief Experience Officer, Brand NewStay*

Do you really need all of those Standard Operating Procedures (SOPs)? Are Standard Operating Procedures throttling your business growth, stifling your team's development and diminishing your guest experience? We explore these questions in the piece that follows. While discussion doesn't mandate that you cease and destroy SOPs, it will equip you to elevate your business, team and guest experience by thinking twice about the standards you've set. Most important, it will get you thinking that there could be better ones out there. [READ MORE](#)



Happy Employees, Happy Guests From Boutique Properties to Major Resorts

By *Sam Ross, Executive Director, Visit Carlsbad*

Research shows that positive engagement with hotel employees has a major impact on guest satisfaction, or a distinct set of challenges for properties of all sizes. Carlsbad, California, located along the Pacific Ocean coastline north of San Diego, is home to a range of accommodations, from boutique inns to some of Southern California's most luxurious resorts. Where a larger hotel benefit from best practices in training and hiring, an intimate property may be able to offer highly personalized service. How are hotels in Carlsbad responding to these challenges to ensure guest satisfaction? [READ MORE](#)



Using Guest Intelligence to Motivate and Empower Your Team

By *R.J. Friedlander, Founder & CEO, ReviewPro*

Hoteliers can gather endless amounts of data from analytics tools but the real challenge is knowing what to do with it. Today, savvy hoteliers are using Guest Intelligence to motivate each department and get the most out of individual teams to improve overall guest satisfaction and boost revenue. By creating a guest-centric culture, employees at hotels are empowered to make a difference. At the end of the day, your employees are representatives of your brand and those responsible for offering remarkable guest service. [READ MORE](#)



High-Tech Meets High-Touch

By *Alexandra Sewell, Vice President of Mid-Market & Enterprise Marketing, Comcast Business*

A smiling face behind the check-in desk. Prompt and unobtrusive room service. Eager hands to help with luggage. A friendly greeting. "It's my pleasure." "You are quite welcome." "Please, let me help." These are just a few of the personal touches that define exceptional guest service. Human interactions are indeed the cornerstone of the guest service mission at most hotels. Get those human interactions right, and you have a satisfied and loyal guest who is listing your praises to others. Get those human interactions wrong, and they can damage your reputation and your

and any threat of litigation or even a bad review disappeared.

Monitoring and Documentation

The hotel in this example did everything right. It not only provided proof that its pool and spa water quality complied with DOH standards and its water quality expert's more comprehensive standards, but it also helped the guest figure out the real source of the child's rash and hives. Without the 24/7 monitoring and documentation of the property's water amenities, a water quality issue could have gone undetected for days or resulted in a gap in documentation that could have caused the guest's complaint to escalate.

Hotel pools should adhere to local, state and national health codes, like those provided by the DOH and the CDC, and the hotel should have documentation of adherence to mechanical and operational best practices. A third-party service like CES can perform annual inspections and periodic site assessments, providing verification and checks and balances to in-house water quality programs.

When choosing a water quality provider, it's also a good idea to find one whose services address safety issues in pool equipment rooms and in the pool deck area. A comprehensive water quality safety program should also cover areas where toxic pool chemicals are stored, storage and handling policies, and proper training in the use and handling of such chemicals.

Maintaining pool and spa water quality and mechanical systems should be as much a part of a hotel's risk management efforts as employing certified lifeguards, posting "Swim at Your Own Risk" signs or other safety rules and regulations aimed at preventing everything from slips and falls to accidental drowning.

If a water quality problem arises, the right system will inform hotel operators the minute the problem is detected and take immediate action to correct it before anyone is adversely affected.

And, as the hotel case study I described above shows, comprehensive water quality monitoring and documentation give a hotel the proof it needs to defuse guest accusations in a climate where even a negative review can go viral online and damage a business' reputation. Guests whose concerns have been promptly addressed and refuted with facts don't contact the health authorities or file lawsuits.

Philip J. Harvey is president of Venture Insurance Programs, a national program administrator for select industries, including hotels, resorts and golf and country clubs. Through Venture, Mr. Harvey created a leading all-lines insurance program for hotels and resorts called SUITELIFE. Mr. Harvey has more than 35 years of insurance experience in all facets of property and casualty insurance. The hallmark of Venture is an entrepreneurial spirit that identifies market needs and works to develop unique solutions. Mr. Harvey values employees and business partners who share this same entrepreneurial approach. Mr. Harvey can be contacted at 800-282-6247 or Please visit pharvey@ventureprograms.com for more information. [Extended Bio...](#)

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Why Pricing Does Not Equal Revenue Management. That long ago, the majority of hotels sold rooms at predefined rate levels and largely missed an opportunity to manage rates dynamically. Today, dynamic transitory pricing has taken over the hotel industry - driven largely by the transparency of rates in the internet distribution era. Why isn't pricing enough? Why doesn't pricing equal revenue management? Read this whitepaper from IIR and find out...

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