

*Company Holiday Parties Are Increasingly the Backdrop  
for Drinking-Related Accidents, Injuries and Sexual Harassment*

## **TIPS FOR THROWING A SAFE HOLIDAY PARTY AT WORK**

It's that time of year again. As the holiday season approaches, employers across the country are busy planning company parties. Year-end holiday parties have a long tradition in the business community and rightly so. These upbeat celebrations reward employees for their hard work during the year and, especially this year with the financial crisis, can go along way towards giving employee morale a much-needed boost. But for company party planners, the many benefits of the traditional company party should not overshadow the legal and safety risks that these gatherings can create, especially where alcohol is served.

Over the years we have found that oftentimes holiday parties and their aftermath are the backdrop for harassment complaints and drinking-related accidents and injuries. If your company is sponsoring a holiday party this year, we encourage you to engage in careful planning designed to minimize the potential risks and, hopefully, to avoid these problems.

### **LEGAL AND SAFETY ISSUES: COMPANY RISK AND LIABILITY**

Alcohol related accidents and injuries to individuals who have had too much to drink and to innocent third parties are commonplace in our society. An employer that serves alcohol to an already intoxicated employee at a company-sponsored holiday party could potentially be responsible for accidents and injuries caused by that employee. If an employee is injured at a holiday party or its aftermath, the company's employee benefit programs, like workers' compensation and medical insurance, may also be impacted. Serving alcohol to minors is strictly prohibited by law. A company that serves a minor at a holiday party not only violates the law, but also could be responsible for any injuries that an intoxicated minor causes.

Additionally, employers may be held legally liable for violating anti-harassment laws if a manager, supervisor or even a co-worker engages in unlawful inappropriate conduct towards another employee at the company's holiday party.

### **VIOLATIONS OF THE COMPANY'S ANTI-HARASSMENT POLICY**

It is critically important that before the holiday party you make everyone in your workforce aware that the company's Anti-Harassment Policy, and other policies about inappropriate conduct at work, do actually apply to their behavior at the holiday party. This includes not only unwanted sexual advances, inappropriate and unwelcome touching and vulgar language but also conduct that could be prohibited by your policy because it likely would be offensive to your diverse workforce.

Offensive racial, ethnic and religious slurs and jokes, for example, are simply not acceptable at an event sponsored by your company. Drinking is not an excuse for conduct prohibited by your policy. Many companies address these issues in their travel policies, a practice we heartily encourage.

Fortunately, even without a special policy, there are a number of steps you can take ahead of time to reduce risks and take care to sponsor a holiday party where everyone who attends has a safe and enjoyable time.

## TEN TIPS FOR THROWING A SAFE HOLIDAY PARTY AT WORK

1. Before the party, circulate a memo to your entire workforce reminding everyone that your company's policies concerning workplace harassment and other inappropriate conduct apply at holiday parties. Consider including copies of these policies with the memo. Explain that drinking at the party does not absolve anyone of the requirement to comply with these policies.
2. Designate managers to pay attention to behavior at the party and to be prepared to act if inappropriate or potentially unsafe conduct occurs. If top management plans to attend, then raise these issues with them ahead of time and discuss how their conduct sets an example for others.
3. Limit drinking time to one or two hours during the party or if dinner is served, offer alcoholic beverages only at a reception before dinner and then close the bar thereafter. Alternatively, stop serving alcohol one or two hours before the party officially ends.
4. Use drink tokens or have a "cash bar" instead of an "open bar" to limit the amount of alcohol served.
5. Hold parties off business premises with the intention of shifting responsibility for serving alcohol to liquor licensees and professional bartenders. Professional bartenders are generally more experienced at identifying individuals who have had too much to drink. They may also request identification to ensure that underage drinking does not occur.
6. Make attendance voluntary. If an employee who is required to attend the party is injured or harmed, the employer may be more likely to be held responsible than if attendance was voluntary.
7. Arrange ahead of time for transportation for those employees who are unable to drive.
8. Offer a wide variety of non-alcoholic beverages.
9. Invite spouses and significant others especially if you believe that their attendance will make it less likely those employees would engage in inappropriate conduct or excessive alcohol consumption at the party.
10. Serve foods rich in protein and starch which tend to slow the absorption of alcohol in the bloodstream instead of salty and greasy foods that may increase thirst.

Although no plan is foolproof, following these tips will hopefully make for a safer and more enjoyable company party this holiday season.

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