



News & Trending

PUBLICATIONS & ALERTS



HOW TO HAVE A SAFE AND HAPPY HOLIDAY PARTY

11.21.2018

The company holiday party can boost employee morale and celebrate the company's successes in the past year, but a holiday party may also create a few legal pitfalls for the unwary employer. If you are planning an employer-sponsored holiday party, you may want to consider the following tips to help minimize legal liability from employee or third-party claims.

REDUCE RISKS RELATED TO ALCOHOL CONSUMPTION

- Encourage employees to drink responsibly and put such encouragement in writing.
- Try to keep guests from becoming intoxicated.
 - Have plenty of food and alternative beverages available.
 - Serve alcohol only from a bar staffed by a professional bartender who has been trained to identify an intoxicated guest.
 - Do not have "self-serve" bars or "open kegs" where the guests serve themselves as much or as often as they wish.
 - Do not have waitpersons circulating through the crowd with trays of drinks (make the guests come to the bar so that they can be observed by the professional bartender).
 - Limit the number of drinks guests can obtain per trip to the bar.
 - Limit the length of time that the bar is open and that alcohol is being served.
- Instruct the bartender that guests who appear to be intoxicated should not be served alcohol and should be brought to the attention of the host in a discreet fashion. This allows the host to handle the situation in a way that will avoid undue embarrassment for both the guests and the host.
- Monitor guests as they leave. Determine who is driving and create an opportunity to observe and converse with the driver so that it can be determined whether or not he or she appears able to drive safely.
- Have rented vans or taxis available to take guests home, if necessary.
- Consider having a cash bar.
 - Guests usually drink less when they are paying for their drinks instead of consuming alcohol from an open bar.

- Also, the host is less likely to be charged with “providing” alcohol to the guests if the guests purchase the alcohol directly from the bartender or caterer.
- Consider purchasing a single-event liability insurance policy. Although such a policy can be expensive, it can be structured to protect against claims by a third person who is injured by an allegedly intoxicated guest.

PREVENT HARASSMENT

- Avoid games or activities that might encourage inappropriate behavior that could give rise to a claim of sexual harassment.
- Respect the diversity of religious beliefs that is present in most workplaces.
- Consider reminding employees of applicable harassment policies.

COMPLY WITH WAGE AND HOUR REQUIREMENTS

- Let employees know that their attendance at the holiday party is voluntary and that they will not be paid for time spent attending the event.
- Consider hosting the event outside of normal business hours.
- Don’t conduct training at the event or ask employees to perform functions that could lead an employee to claim he or she was asked to work off the clock.

We wish you a happy holiday season and a safe company holiday party.

PROFESSIONALS

Susan Milner Parrott

PRACTICE AREAS

Employment, Labor and Human Resources

