

Holiday Parties May Boost Morale but Lawsuits can be a Buzz Kill

We are quickly entering the festive holiday season and even with a muted economy many companies are offering holiday parties, albeit often times on a scaled back version. While holiday parties are great for morale and foster a renewed spirit of camaraderie, companies still need to be mindful that winter frolic and festivities can lead to spring filled frivolous law suits.

At any type of company-sponsored party or event, an employer may be liable for their employees' actions, as well as for any injuries that occur at the event. It is very easy to forget the potential liability that a party springs forth. Hourly employees that are required to work the party, as hosts etc, are also required to be compensated for their time. Employees that are directed to set up, register, host etc. are performing functions for their employer and are arguably covered under workers compensation if injured. Supervisors that imbibe one to many eggnogs and become too friendly with members of their team may lead too sexual harassment lawsuits. So what is the solution? Well it is not the way of the Grinch, rather a little bit of prevention can prevent the hangover of litigation. The following are some easy preventative measures that companies can implement:

Voluntary

Ones of the easiest ways to reduce liability is to make the party truly voluntary. A truly voluntary party does not mean that a supervisor tells their employees that they can choose not to attend but doing so will be like kissing your career away when the ball drops on New Years Eve. If you are going to have employees perform the set up and decorations, form a volunteer decoration committee to organize and run it. Think the prom committee. A volunteer decoration committee will arguably reduce any workers compensation claims as the employees were not required to assist but did so on a voluntary basis.

Alcohol

Alcohol consumption serves as the biggest liability at any event. If a company is going to have alcohol at the party it is best to hold the party at an off-site location. Off site locations offer professional bartenders that know how to serve and monitor alcohol consumption. Off site locations also offer their own liability insurance and coverage.

Just like when you are throwing a social party the rule of food applies: serve heavy food with alcohol. An empty stomach will induce problems in even the most conservative of drinkers. Provide free non alcoholic beverages and if you provide a full open bar, implement a free alcohol drink limit per individual (i.e., a ticket system) to keep consumption down. Any drinks desired after the allotted alcohol drink tickets are subject to cash bar. A full or even limited cash bar generally reduces the likelihood of over

consumption. Lastly, direct the site to stop serving alcohol a couple of hours before the party ends to reduce the likelihood of drunk driving.

Once you have taken care of the two biggest issues: alcohol and the mandatory nature of the party the only thing left to do is rest, relax and have fun. Remember you worked hard all year, you deserve it!

If you have any questions about this article, contact Attorney Julie A. Proscia, Esq. Julie Proscia is a partner at SmithAmundsen LLC in the labor and employment practice group. Julie exclusively represents management in employment issues and may be contacted at (630) 587-7911 or at jproscia@salawus.com.