

Let the Holiday Festivities Begin - But Be Cautious in Your Workplace!

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It is that time of year again when the holidays are here and the planning of festivities is underway. Yet, it is a time when all human resource professionals and members of management should consider the appropriate guidelines for holiday parties. Here are a few tips to keep in mind when planning these gatherings:

- **Policies and Procedures** – Employees, including members of management, should be reminded that all policies and procedures, including the rules regarding anti-discrimination and harassment, continue to apply equally at holiday parties and off-site events. People tend to do things at holiday parties that they would not do at the work place, so a quick refresher course on the employer's expectations could go a long way. The office party is not an excuse to "let loose." As such, a reminder that proper decorum is required is warranted, including appropriate attire.
- **Alcohol Consumption** – People tend to consume too much alcohol when it's on someone else's dime. Besides being a cost savings, limiting alcohol consumption may ward off future legal claims. As such, consider limiting an employee's consumption of alcohol by allowing only two drinks per employee by distributing drink tickets upon admittance and instructing the staff of the venue at which a holiday party is held not to provide drinks to anyone unless they have a drink ticket. Further, do not allow employees to circumvent the two drink limit by mandating that employees not give to their colleagues their unused drink tickets. Also, if you are going to have alcohol at a function, consider having a "no questions asked, free ride home" car service available to anyone who gets too intoxicated to drive. Additionally, some alcoholic beverages are less intoxicating than others, so consider serving only wine and beer, rather than hard liquor.
- **Attendance, Theme & Venue** - Attendance at the holiday party (unless perhaps clients/vendors are invited and it is used as a marketing tool) should be voluntary only. Management should make sure that the holiday party does not exclude any individual by making it specific to any one religion, and thus, making others feel uncomfortable (e.g., by calling it a Hanukah or Christmas Party). Not only should you make sure that your insurance policies cover the party in the event of a claim (this includes general liability and EPLI insurance), but the venue that you select for your off-site event should be licensed and insured, as well. Additionally, make sure that the venue is accessible to persons with disabilities, so no employee with a disability feels excluded. Finally,

the venue should be tasteful and not otherwise offensive to any employee (e.g., the holiday party should not be held at a nightclub with scantily-clad wait staff or a strip club).

While there are many other considerations, this was a quick overview. We realize that some of the above tips may not be doable at your workplace. The best advice we can give is to have management present at the party, and to advise them beforehand to deal with any inappropriate activity quietly but immediately.

Happy Holidays from all of us in the Labor & Employment Practice Group at Akerman Senterfitt!