

## Avoid Going From Ho! Ho! Ho! To Oh No! No! No!

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The employer throws a holiday party as a chance for its employees to interact with one another on a more social level, have an opportunity to get to know significant others and reward the team for a year of hard work. Unfortunately, this holiday celebration mixed with alcohol and far less formal interaction between colleagues can lead to both employers and employees doing a collective post-party shout of “Oh No!” For whatever reason, there seems to be a loss of good sense and responsibility when it comes to the company holiday party time. In fact, in a 2010 poll by the human resources firm, Adecco, 40 percent of all employees either witnessed or engaged in inappropriate behavior at a holiday work party. Another poll by Monster.com found that one in 10 workers admitted to behaving in a “somewhat or extremely regrettable way” at a holiday party. Finally, according to survey by the Caron Treatment Centers, nearly half of those attending a company holiday party have seen an individual (under the influence of alcohol) act improperly toward another co-worker, including flirting or, worse, driving drunk. Unfortunately, these surveys reflect the reality of the calls or personal visits that HR professionals (and legal counsel) field following a holiday party. And, with the ever-present social media sites like Facebook™, Instagram™ and Vine™, pictures and videos of employees engaging in bad behavior at the event reflect badly not on just the individual but also on the company as allowing for out-of-control conduct. So, what can a company do to avoid the “Ho! Ho!” well-intentioned gathering to a disastrous “Oh No!” event that could pose possible legal implications? Below are a few suggestions for employers to consider in order to reduce possible mishaps at holiday parties. First, in advance of the party, the company should issue a simple reminder that, while this is to be a fun event, it still is a work event. In other words, the company’s respectful treatment in the workplace (or anti-harassment) policy applies even to this event. This little reminder can be done in a way that does not put a damper on the party itself. One Human Resources department did the reminder in a fun holiday poem; but, the message still got to the employees. Second, alcohol can be (and usually is) the root of the problems that follow the company event. Employers should consider placing limits on the amount or type of alcohol to be served at the party. Limiting the adult beverages to only a few drinks per person and/or avoiding hard alcohol are ways to minimize the potential for bad behavior. Third, employers should consider having a few designated people to refrain from drinking during the event and to stay until the conclusion of the event. If one of those designated persons sees or hears about an employee who may have over-indulged in the libations, that individual can assist in getting the person safely home or away from the event without further embarrassment. Related to this point, employers should make arrangements for some sort of transportation following the event such as taxi cabs or car service. No company wants to lose an employee or anyone else as a result of drinking while intoxicated. Finally, managers and supervisors should be reminded that the after-party may seem like a good idea on paper, it can lead to major issues afterwards. One manager made the bad decision to host an after-party event at a venue

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that involved in exotic dancing. The subordinate employees felt that they had no choice but to go and, of course, claims of sexual harassment followed. Managers and supervisors can do team building events without hosting questionable after-party happenings and, in doing so, limit potential legal exposure. With these few suggestions, everyone should be able to enjoy the festivities of the holiday season without legal complications to follow!