

Basic Guidelines for Employer Sponsored Parties

And all intoxicating substances for that matter.

It's hard to believe that another year has flown by and, lo and behold, we find ourselves in the holiday season again. Like many employers, you may be planning to throw a Holiday / Christmas party for your staff. So many decisions: where (venue), when (date and time), what (activities, themes, etc), how (logistics), who (invitees).

You've probably noticed that the style of employer-hosted parties has changed dramatically over the years. For many organizations, gone are the lavish parties of the past, held in upscale venues with all the trimmings and a free-flowing bar. Fiscal reasons may play a role but the most somber reason is employer liability. After several tragic cases involving inebriated employees and horrible accidents for which employers were ultimately held responsible, the allure of grand parties faded.

Your decision to celebrate lavishly or modestly, at your workplace or off-site, is irrelevant to the issue of liability. The big concern for all employers is the availability of alcohol at employer sponsored events, such as the Holiday / Christmas party. Work-related parties organized by the employer are just that: work-related. As a result, the employer's responsibility for the health and safety of the employees also extends to parties. The actual venue is immaterial as the definition of workplace is broad and essentially encompasses anywhere work is being conducted. Allowing alcohol at an employer sponsored event, regardless of venue, is very risky as reality has demonstrated that employers face significant financial liability for the actions of impaired staff, and other guests, both at the party and arising from driving while impaired.

I know, I know, I am sounding like the Grinch, but throwing a staff party where alcohol is available creates a perilous hotbed of issues guaranteed to take the Merry out of Christmas forever if not managed in advance.



This does not mean that you cannot celebrate the holidays, or any other event, with staff. On the contrary, social events with, and for, staff are great ways to increase employee engagement and promote a positive culture of inclusion. The opportunity to celebrate and socialize strengthens the bonds at work so should never be skipped. Organizing such events simply means taking prudent measures, especially if you want to have some alcohol at the event.

Essentially, if you want to serve alcohol, you assume similar responsibilities to that of a commercial alcohol establishment such as a pub. It is the employer's responsibility to ensure people drink responsibly and to have procedures in place in the event that someone does become intoxicated.

Here are some tips to consider:

- Do not have an “open” bar.
- Hire professional bar staff to control the alcohol and advise them of your rules for the party.
- Ensure a selection of non-alcoholic beverages (preferably free).
- Limit the number of alcoholic drink tickets per employee.
- Stop serving alcohol a few hours before the end of the event.
- Provide food and other activities.
- Remind employees about the importance of responsible alcohol consumption and to not drink and drive.
- Discourage employees from driving their vehicles to the party and offer them transportation (taxi, bus, etc).
- Set an example by ensuring you and your managers are sober.
- Appoint some folks to help detect if employees have consumed too much alcohol.
- If an employee and/or guest becomes inebriated, do not let them leave on their own.
 - Call a taxi and take reasonable steps to ensure the individual(s) take it.
 - Take away their car keys.
 - If they refuse your help and try to drive home, call the police. Seriously.

Of course, you can also choose to not have alcohol at the event.

This is also a good time to review your “drug and alcohol” policy, and, as appropriate, your harassment and violence (respectful workplace) policies, and to ensure your employees also understand that work-related parties, regardless of venue, are still considered “work”, and as such, all policies are applicable. This Grinch is not about to open up the discussion on the correlation between alcohol and inappropriate behavior.....

While alcohol tends to be the concern at work-related events, the recent legalization of recreational cannabis may present new issues for employers. Recreational cannabis should never be permitted at work, including work-related parties. Legally authorized medicinal use of cannabis is different than recreational use and should be addressed in your “drug and alcohol” policy. You will want to ensure that your policy is clear on the differences between recreational and medicinal cannabis and that your employees understand the policy.

Bottom line: health and safety responsibilities extend to work-related parties, and impairment of any sort is a health and safety concern.

On that note, I would like to wish you a safe holiday season and may your staff parties be memorable for the right reasons!

