

# HOLIDAY PARTIES ARE COMING UP - HOW TO MINIMIZE RISKS WHILE MAXIMIZING FUN

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The holidays are the perfect time for colleagues to reunite and celebrate work achievements. While an annual holiday party is a great way to come together and have a good time, especially after almost three years of social distancing, we know that holiday parties can cause employers additional stress, as they inevitably lead to an increase in reports of inappropriate or harassing behavior and policy violations. The question then becomes, how can an employer ensure that employees have fun at their holiday party, without any lines being crossed?

As a result, before putting on your dancing shoes, we recommend employers ensure the following:

## 1. **Make sure the party is inclusive**

If you want to maximize employee attendance and a sense of belonging among employees, it is important to make the holiday party convenient and inclusive for all. Not only should the time and location be as convenient as possible for the majority of your employees, based upon their work schedules and place of work, but accommodations should also be implemented for people with disabilities or people who work remotely or out of town.

In addition, no matter what food or drinks you are planning to offer your employees, you should keep in mind that some might have dietary restrictions. As a result, it would be preferable to ensure that you have kosher meals, items without pork, vegetarian (or vegan) options, as needed, and that you ask employees if they have any allergies.

Finally, in order to show consideration for all employees regardless of their religious beliefs, it would be best to avoid obvious religious references (music, decorations, etc.) and to not limit the festivities to Christmas.

## 2. **Lead by example**

Your managers and supervisors must lead by example. Indeed, employees may be inclined to follow their manager's lead, words and pace. Therefore, prior to the party, managers and supervisors should: 1) be made aware that they represent the company throughout the event, and 2) be advised that they are expected to behave appropriately throughout the event, which means that they should make sure to stay in control and

alert all evening.

### 3. **Control alcohol levels and limits**

We understand that employees expect to drink at their office holiday party and that a dry party may not attract that many guests. However, while the concept of an “all you can drink” party may seem extremely appealing, it can also open the door to liability for employers.

We suggest limiting the employees’ alcohol intake, by setting timing and quantity parameters for serving alcohol. For example, one could give out a maximum number of drink coupons per person, limit the pours, limit the alcohol service to dinnertime, have a designated cut-off time, etc.

It helps to have the events team on your side by giving them clear guidelines as to how you would like them to proceed. They may be in a good position to cut someone off, if need be.

It also helps to have food available at all times, to make sure no one is drinking on an empty stomach.

### 4. **Take reasonable measures to make sure everyone gets home safely**

Whether the alcohol intake is controlled or not, an employer remains responsible for the employees’ safety. We suggest offering taxi chits or Uber coupons, and/or sending a memo to all to the effect that employees should expense any costs related to getting home safely, which will be fully covered by the company.

### 5. **Provide reminders regarding company policies**

The most important tip for employers would be to communicate expectations to all employees ahead of time and remind them that they must comply with all company policies and guidelines during the holiday party.

We therefore recommend sending a general memo or e-mail to all employees including all the important party details and reminding employees that all company policies will continue to apply during the holiday party. The memo can also include a brief overview of expected behavior, more specifically relating to drinking and socializing (do’s and don’ts), details regarding transportation from the party, as well as a link to the company’s code of conduct and harassment policy and a recommendation that they re-familiarize themselves with these prior to the party.

By following these tips, we are confident that employers will be able to make their annual celebrations fun, while maintaining a safe environment for everyone.

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### **A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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