

## *There's a Party Going On...*

One of the many joyful aspects of the holiday season is spending time with co-workers at the holiday office party. As with any party, the employer, as the host, should be mindful of the many issues that may arise especially since failing to take proper precautions may result in significant liability for the employer. By way of example, in *Jacobson v. Nike Canada*, the British Columbia Supreme Court found the employer 70% responsible (and awarded a whopping \$2.7 million in damages) for a car accident that rendered an employee a quadriplegic after he drank at an office party (and afterwards at a bar) and attempted to drive home.

### What Can Be Done To Ensure a Safe and Successful Party?

The first consideration is to remind employees that while the intention is to create a festive atmosphere, the party is ultimately a business event, and that all company policies regarding employee behaviour, including the employer code of conduct, will continue to apply. The emphasis should be on encouraging employees to exercise good judgment and common sense. The most proactive means of getting this message across is to issue a clear and concise communication to all employees well in advance of the office party.

Although most office parties incorporate serving alcohol, it is well recognized that the consumption of alcohol is a major contributor to employee misconduct. Accordingly, you may wish to consider hosting an alcohol-free event. However, if alcohol does form part of the plans, an employer would be wise to consider the following proactive measures:

- Send a message - Prior, during and at the conclusion of the party, reminding employees and guests **NOT TO DRINK AND DRIVE**. This is fundamental.
- Transportation and accommodation - Prior to the party, set up alternative travel and accommodation arrangements. Some options may include taxi chits, carpooling, or booking a block of hotel rooms for employees who may be required to travel long distances after the party.
- Alcohol consumption - Set up a ticket-based system as a means of tracking the consumption of an employee and/or their guest. If a ticket system is not practical, consider limiting the time period during which alcohol is available or limit the types of alcohol available (i.e. beer and wine only)
- Harassment and violence - The increase in alcohol consumption can lead to an increased risk of harassment and violence in the workplace.

Special attention should be paid to this and employers may wish to remind their employees of their policies respecting same.

From a human rights perspective, something to also be mindful of is ensuring the party is non-denominational and inclusive given the wide variety of faiths and beliefs of our employees.

Ultimately, the message is simple: An employer can pay dearly for failing to take adequate steps when acting as a host. Be proactive and prepared (and have fun!).

If you need assistance drafting your office party communication please contact one of our e2r® service providers.

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