

e-BULLETIN

November 25, 2011

Here's to a Happy, Healthy and Safe Holiday Season!

With the holidays come holiday parties. Employers often host seasonal celebrations to celebrate with their employees, customers and clients. The following tips are provided to help ensure that your business parties are healthy and safe for all involved. Being exposed to liabilities as the social host should not prevent you from enjoying the holiday festivities with the very people you see from workday to workday.

The courts have imposed a high standard of care on employers as social hosts, holding them liable for injuries to their guests as well as for injuries to third parties caused by the actions of their guests, particularly where drinking alcohol is involved. The Courts have awarded large damages payments where social host employers failed to meet this standard of care.

If you are hosting a holiday party, there are steps that you can take to be a good social host while limiting your potential liability:

- As the host, drink minimally or not at all so that you stay in control of any situation that may arise.
- Consider having an alcohol-free celebration.
- Have a wide variety of non-alcoholic drinks available, such as punch, mocktails, and rum-free eggnog.
- Consider the venue and whether any additional steps need to be taken to promote safety (such as extra long tablecloths, fragile displays, hidden steps or uneven floors).
- Consider whether any of your employees have a known addiction to alcohol and how you will address those employees or your party planning beforehand.
- Hire a professional bartender so that alcohol consumption may be monitored. Advise the bartender to stop serving drinks to guests when they appear to be consuming too much alcohol.
- Don't let your guests serve themselves or each other.
- Ensure that plenty of food is being served.
- Stop serving alcoholic drinks an hour or two before the gathering is scheduled to end by closing the bar, and bring out coffee, more food and more non-alcoholic drinks.
- Make sure your guests have planned for a safe ride home. Know who their designated drivers are and do not serve the drivers any alcohol.
- Have taxi vouchers available for guests to use, and ensure that guests are aware that they are available. Arrange for alternate transportation, such as a company provided bus or carpooling.
- Intervene if necessary and take away the keys of guests who are intoxicated.
- Have an appropriate workplace policy (health and safety or alcohol and drug) in place that addresses company hosted events. Remind employees not to let celebrating affect their ability to abide by the policy, such as reporting the next day for work (fit for work) or not driving the company vehicle while impaired (fatigue from drinking included).

Spectrum HR Law LLP wishes you a happy, healthy and safe holiday season!