

Don't get too Mad . . . it's only March.

16. March 2010

I ran across an interesting post from Challenger, Gray & Christmas, Inc., on their @Work blog. The headline of the post says: "MARCH MADNESS REPORT: Tourney Could Cost Employers \$1.8 Billion." You can see the whole thing here: <http://challengeratworkblog.blogspot.com/2010/03/march-madness-report-tourney-could-cost.html>.

Let me start out by saying this (I have to, I'm a lawyer). It is illegal to bet money in an office pool in Michigan. The Michigan Penal Code at MCL § 750.303 provides:

(1) Except as otherwise provided in this section, a person who for hire, gain, or reward, keeps or maintains a gaming room, gaming table, game of skill or chance, or game partly of skill and partly of chance, used for gaming, or who permits a gaming room, or gaming table, or game to be kept, maintained, or played on premises occupied or controlled by the person, is guilty of a misdemeanor, punishable by imprisonment for not more than 2 years, or a fine of not more than \$1,000.00. A person who aids, assists, or abets in the keeping or maintaining of a gaming room, gaming table, or game, is guilty of a misdemeanor, punishable by imprisonment for not more than 2 years, or a fine of not more than \$1,000.00.

Okay, now you know. For the next week or two employees are going to be a little less productive and it is illegal in Michigan to gamble. So a bunch of HR types might try to tell you that you really, really need an "Anti-March-Madness" policy. Really? These wouldn't be the same people that were telling you to hurry up and get that H1N1 policy drafted were they? I have an idea, let's all just lighten up a little bit. First of all, according to the Freep.com. "It is illegal in Michigan to exchange money based on an event with an undetermined outcome," said John Sellek, the Michigan Attorney General's communication director. "But this office has not received a complaint on what are traditionally known as March Madness activities." See the article at <http://www.freep.com/article/20100309/COL35/3090336/1025/Features07/Sports-pools-harmless-experts-say>. And before you run out and cut off everyone's access to the web, think of what that will do to morale. I'll bet (oops, can't do that!) it costs a bit more in the long run. In fact, according to the same Freep.com article:

Most companies don't have a formal policy about office gambling, according to a January 2010 survey by the Society for Human Resource Management (SHRM). The human resources professionals surveyed said employees were most likely to organize pools for the Super Bowl and the NCAA basketball tourney, but also used pools to bet on when a coworker was likely to give birth and the newborn's weight and height. The pools helped boost morale, the survey found. Some 55% said office pools had a positive impact, while 41% said it had no impact.

So take it easy and enjoy the games. I have to run. I have a couple of brackets I need to fill out.