

COMPANY-SPONSORED HOLIDAY CELEBRATIONS: AVOID THE OBVIOUS RISKS

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As the holiday season approaches, company-sponsored holiday parties, and the risks that arise with them, are just around the corner. Each year, company-sponsored holiday parties result in incidents that prompt claims against the sponsoring employers, either by employees attending the event or by third parties who are later harmed by employees who attended the event. Prudent employers should be particularly conscious of three risks arising from holiday parties:

- Alcohol- Alcohol is a fixture at most company holiday parties, and employees who consume alcohol in excess may injure third parties as a result of their intoxication, either in motor vehicle accidents or other incidents. Employers should seek to prevent employees who are obviously intoxicated from driving, and should be prepared to provide rides home (from taxis or other means) at no cost to employees who may not be able to drive safely.
- Harassment- Since many employees mistakenly fail to recognize company-sponsored holiday parties as business events, they may (particularly after consuming excessive amounts of alcohol) engage in behavior they would typically avoid while at work. Management should be alert to obvious signs of inappropriate or harassing behavior and respond promptly and appropriately to protect employees from otherwise avoidable incidents.
- Religious discrimination or harassment- Several holidays are associated with particular religious faiths, and employees who are not members of those faiths may feel excluded or disfavored if company-sponsored holiday celebrations or displays prominently feature items (such as Nativity scenes or menorahs) or rituals closely associated with those religions. Employers should be sensitive to the different beliefs of their employees, and careful to avoid organizing celebrations in a manner that suggests favoritism of certain faiths or beliefs over others.

Company-sponsored holiday celebrations can serve as unifying events that promote morale and team spirit, but they also often result in incidents that prompt claims against the organizations that sponsor them. Employers planning to sponsor holiday celebrations should plan their events carefully and seek to minimize the most obvious risks of potential claims. If you have any questions regarding company-sponsored holiday parties, or any other employment law issues, we invite you to contact one of our attorneys:

Daniel F. Pyne, III	DPyne@hopkinscarley.com
Richard M. Noack	RNoack@hopkinscarley.com
Ernest M. Malaspina	EMalaspina@hopkinscarley.com
Karen Reinhold	KReinhold@hopkinscarley.com
Erik P. Khoobyarian	EKhoobyarian@hopkinscarley.com
Shirley E. Jackson	SJackson@hopkinscarley.com

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