

“that’s what she said”

a ford & harrison blog about the popular television series “the office”

In the Company of Gleeks

January 06, 2011 - by: [Doug Hall](#)

Litigation Value: Likely no liability against Sabre/Dunder Mifflin, but Gabe could have some property damage claims against Michael and Andy

Only two more weeks until new episodes of The Office return, and I’m eager to find how the writers will wrap up Michael Scott’s career. Quick question for you Officeheads out there: How do you think they will engineer Michael’s departure from the show? Promoted out of Scranton? Leave the company altogether? And what of Holly? Post a message with your ideas and let’s compare notes.

In the meantime, we are treated to an episode that aired back in November, “The Viewing Party,” which was ably blogged by my colleague Brian Kurtz. Given that virtually the entire episode occurs away from the Scranton Business Park, I am going to focus on a couple of issues regarding what can happen when co-workers gather outside the workplace.

The episode centers around a party hosted by Gabe and Erin at Gabe’s apartment, where the guests will watch an episode of Glee. Unlike Michael and Erin, I’m no Gleek, and can’t really see the attraction of a party centered around watching it. Nevertheless, most of the Office shows up ([check out the deleted scenes online for Stanley’s explanation for his absence](#)). Perhaps that is because, as Kevin put it, you’ve got to go

<http://blogs.hrhero.com/thatswhatsheaid/>

to the boss's party. Leaving aside the confusion about whether Gabe or Michael is the boss (see [Brian's post for a further discussion of that issue](#)), Kevin's comment — and the fact that all the guests apparently work for Sabre/DM — raises an interesting question: Is the viewing party a company-sponsored function? If so, then the company could end up being sued for any shenanigans that occur at the party, or for injuries that arise should someone get a little too "Gleeful" and drive home impaired.

The other point I'd like to touch on is the issue of disciplinary action based on conduct that takes place outside the workplace. Here, for example, we have Michael yanking out Gabe's cable TV connection and Andy taking Gabe's powdered seahorse and later throwing up in Gabe's bed. What if Gabe found out what they had done and filed a complaint with HR? Would the company be justified in taking disciplinary action against Michael and Andy even though their actions occurred outside the office, at what arguably was a private function not sponsored by the company? Discipline can be based on conduct that occurs away from the workplace, but there are particular issues to consider when doing so, so tread carefully.

In closing, I want to wish everyone a Happy New Year — and if anyone tried out Dwight's suet-based method for calming a reverse cycling infant, I'd love to hear how it went!