



# JW | Employer's e-Alert

An important Labor & Employment law update from the law firm of Jackson Walker.

**December 01, 2010**

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## Three Important Reminders for Company Holiday Parties

By Matt Dow

Doug: "We look at these pictures together, OK? One time. And then we delete the evidence."

Stu: "I say we delete it right now."

Phil: "Are you nuts? I want to find out how I went to the hospital. Is that in there?"

Alan: "Yeah it's in there!"

Hopefully that conversation from *The Hangover* is not one your employees have after the company holiday party. This is important for employers for at least three reasons.

1. **Employment laws do not take a holiday.** More than 93,000 charges were filed with the EEOC in 2009. The policies and procedures employers emphasize during the year are just as relevant at a company party away from the office after normal office hours. Boorish behavior, especially when alcohol is involved, can easily become vulgar and unwanted behavior that leads to a complaint or even a lawsuit. Positive working relationships can be damaged when stupid things happen at a party, so remind your employees before the party that professional behavior is expected.

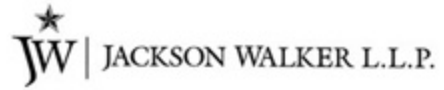
2. **Drinking and driving is against the law, and it can impact the company if something tragic occurs.** A person with an alcohol level of .08% or greater is considered legally intoxicated in most states. And a level of .05% leads to reduced inhibitions. So consider limiting the amount of alcohol served at the party, serve food and/or provide free cab rides. The company president should not be the one handing out drink tickets. Hire professional bartenders who are trained to recognize when someone has had too much to drink. And ask your executives and managers to be good role models at the party.

3. **Facebook is the last place you want pictures from the impromptu tequila shot contest to be downloaded.** No one (except a plaintiff in a lawsuit) wants the "evidence" floating around on social media. All the more reason to make sure things do not get out of hand at the company holiday party.

If you have any questions regarding this e-Alert, please contact **Matt Dow** at 512.236.2230 or [mdow@jw.com](mailto:mdow@jw.com).

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