

“that’s what she said”

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

That Fevered Night

October 28, 2011 - by: [Matt Rita](#)

Litigation Value: Not much on the employment law front. But, for many of our readers in Central Daylight Time (you know who you are), the goings-on during — and especially after — the most recent airing of The Office might have given rise to at least the kernel of an emotional distress claim.

Allow this week’s blogger to make an opening disclaimer: In his lifetime, he has witnessed both the [highs](#) and the [lows](#) of World Series sixth games. But admittedly, those characterizations are very much a matter of perspective.

While real-world [history](#) was being made near Lewis and Clark’s [point](#) of embarkation last night, the workplace [Halloween](#) party of our fictional friends up in Scranton was on display. So, what to make of the festivities?

Did [Andy’s](#) pre-screening of employee [costumes](#) mitigate potential exposure? Not really. Did Pam’s belief (and Jim’s skepticism) in “The Man in Black” change the mix? No. But what of Kevin’s irrational fear of [museum mummies](#) and Gabe’s fixation on “the cinema of the unsettling”? Good material for water cooler banter, perhaps, but not the stuff of legal liability — even with “a healthy fear of snakes” (to quote Creed’s bearded alter ego).

Can we still have fun with our [co-workers](#)? Let’s hope so. But, with Erin’s confusion in mind, let’s remember that not everyone will see the same set of circumstances in the same light. Given that possibility, we would all be wise to try to avoid what the regional manager described as “a classic misunderstanding.”

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