

DON'T BE SINGING THE BLUES THIS HOLIDAY SEASON, AND DON'T BE SERVING ALCOHOL AT YOUR BUSINESS HOLIDAY PARTIES

Fifty weeks is a long time. Fifty weeks of seeing the same people, day in and day out. The same people that you spend a lot more time with than you do with your own families. The same people that for hopefully two weeks of the year, you don't have to see while you are on vacation. Fifty-two weeks ago, you celebrated the holiday season with your business colleagues. This year, assuming the business can still afford to have a party, the most important thing to remember is to have the party without the alcohol.

As an employment law attorney, I hope that some of you do not take my advice. If everyone took my advice, I would be unemployed. There is a reason why January is my busiest month, every year, and that reason can be summed up in one word – alcohol. Alcohol that is served at holiday parties in December leads business owners, managers, supervisors and employees to engage in activities that are frowned upon in the work place – fraternization.

Conversations at the water cooler about politics, taxes, the hottest new show on Netflix and what's being served at your home on Thanksgiving is fair game. It doesn't help the Employer's pocketbook when time is wasted at the water cooler, but at least it keeps everyone in stable enough condition to deal with the daily stresses at work. But when you take away the water cooler and substitute it with a keg, bottles of foreign wine and other distilled spirits, politics becomes 'can I give you a lift home;' taxes become pornography; and 'what's being served on Thanksgiving' becomes 'I am leaving my wife for you... I swear!'

What had been a vanilla clean work environment has now turned into a landmine of litigation. Sexual harassment and/or gender discrimination law suits can be extremely costly for businesses, business owners, supervisors, managers and employees. Everyone is fair game in the litigation battle, and everyone can be spending their days in Court, instead of behind their desks. What can you do to control this craziness or possibly avoid it all together? Here are a few simple ways to keep your business running, or to keep your job:

If you are a business owner or a decision maker regarding the festivities:

- Don't serve alcohol
- Conduct the party on your business premises if you can, so that it is in a controlled environment, and your employees will act more respectfully
- Serve some great food
- Use the party as a platform to motivate the troops, and get everyone prepared and ready for next year
- Inform everyone at the party about bonuses (if you can afford to pay any) that will be paid in the next paycheck, and thank everyone for a great year and a job well done
- Speak with a party planner to come up with some fun corporate ideas that are rated nothing more than PG

If you are a supervisor, manager or employed in any human resources type activity:

- Don't drink any alcohol, or keep it to a bare minimum
- Try to avoid conversations with anyone at the office that you do not normally speak with on a recurrent basis, especially if you find that 'anyone' very attractive
- If you are romantically involved with anyone at the office, and it is a secret, this is not a good time to do anything but keep your distance. With possible impaired judgment, you may say or do something that you will very soon regret
- Avoid private and personal conversations with anyone in a dark corner. Keep your conversations fun and lively, but keep them at the table or at the bar, and try to be professional

If you are an employee with limited supervisory or managerial responsibilities, if any:

- You are the most fungible, so do your best to not be the one that is being talked about at the water cooler the next day
- To avoid being the one talked about at the water cooler the next day, try to avoid alcohol as much as you can. If you are invited to share a drink or toast with a supervisor, accept, but sip (do not chug) to the best extent possible
- Don't grow beer or wine muscles and approach the business owner or higher up to tell him/her ways that you can improve their business. If you have a great business idea, bring it to the right person on any other day of the year. There are plenty of days from which to choose
- Don't show off either your mass eating or mass drinking skills. This is the time to be conservatively social; not the life of the party
- And finally, if you are on the prowl, wait until after the party is over to go hunting, and do your hunt at a very different location. Hopefully, someone else at a different party on the other side of town is reading this same article, and perhaps that person will also be hunting, or be available at a local tavern or club near you

All in all, it's holiday time! So long as you think of holiday time at the workplace as anything but 'party time,' and avoid all the potential pitfalls and landmines that have been categorized above, you can make it through this holiday season, and still be earning a living come the first of the year. Happy holidays to all! I hope to not hear from you in January (but I won't be taking vacation just in case).