Alcohol Liabilities at Office Parties

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It is once again that time of year when employers are most likely to host holiday events. For many employers, these year-end parties are a way of saying “thank you” to their employees. They also provide an opportunity for team building and strengthening collegiality.

While the expectation is that everyone will have a memorable night, it is important for employers to remember the legal responsibilities that accompany the serving of alcohol at social events.

In a nutshell, employers are responsible for ensuring that their employees make it home safely without injuring either themselves, or others, in the process. This liability can be as a result of the employer being the social host or the occupier of premises in which alcohol is served.

Liability as a Social Host

An employer’s liability as a social host arises when an employer supplies the alcohol for the event, regardless of the location at which the alcohol is served.

Liability as an Occupier

An employer’s liability as an occupier arises if someone is injured in the workplace or on property that the employer may rent for the purpose of hosting the event. Depending on the circumstances, an employer hosting a party at the employer’s home, could also be liable as an occupier if someone is injured on the premises.

Tips to Minimize Liability

To avoid liability completely, employers could host alcohol-free parties and forbid alcohol consumption at employer-sponsored events. However, this is likely to reduce attendance at these events and make them less “fun and memorable”.

Fortunately, employers can minimize potential legal liability in a less “draconian” way, by taking the following steps:

- Have a written policy that governs the use of alcohol at company events and ensure that the employees are familiar with the policy.
- Consider holding the event at a licensed establishment.

- If you are hosting a party on your property, hire a bartender and trained servers and staff.
- Designate an employer representative to monitor the event.
- Limit the number of drinks by issuing drink tickets and avoid having an open bar.
- Have sufficient food and non-alcoholic beverages available.
- Stop serving alcohol at least a couple of hours before the party is scheduled to end.
- Arrange a limousine service or pay for employees to take a taxi home.
- If the event is being hosted at a hotel, provide employees with the option of "taking the elevator home".

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