

Is Employer Liable for Worker's Drunk Driving Death?



An office worker stayed at work past closing to drink with co-workers and friends. She was drunk when she left the office at 2:00 am and was killed in a head-on collision while driving home. Her family sued the employer for negligently allowing the worker to consume alcohol on the premises and drive home intoxicated. But the court dismissed the lawsuit. The worker wasn't on duty when she drank and the employer didn't supply the alcohol. Although one of the company principals was present when the group started drinking, when he left, the worker didn't appear drunk and he couldn't have reasonably foreseen that she'd stay there for hours and continue drinking. In addition, the company had a policy that banned drinking on company premises and permitted workers to take a taxi home at company expense at any time and for any reason [*Jenkins v. Muir*, [2012] A.J. No. 561, May 28, 2012].

To Find Out More About Liability for Drunk/Distracted Driving by Employees

- [Managing liability risks when serving alcohol at company parties](#)
- [\\$24 million jury verdict against Coca Cola highlights need for effective distracted driving policies](#)