

Alcohol-Free Holiday Parties Reduce Employer Liability

The office is frequently a place where employees and employers get together to celebrate special events. Office parties typically mean lots of music, food and drinks. If the drinks include alcohol, however, office parties can have very unfortunate consequences. Opinions vary regarding the appropriateness of making alcoholic beverages available at office parties or other company-sponsored events. Ignoring the possibility that some employees or guests may drive home "under the influence" invites trouble.

Improper use of alcohol may expose employers to liability under tort, workers' compensation or other laws. For example, an employer may be held liable if a person consumes alcoholic beverages at a company-sponsored party and subsequently causes a crash. Some employers have been held liable because negligent acts by employees under the influence of alcohol consumed at employer-sponsored events were found to be within the scope of their employment. In other cases, individuals have been held liable merely because they provided alcohol to social guests.

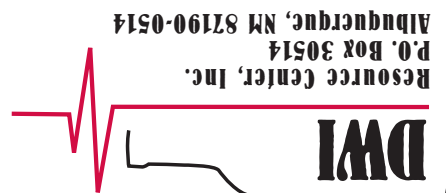
The only sure way for employers to avoid potential liability for alcohol-related crashes is to not make alcohol available. Moreover, employers should let employees know they are not to bring any alcoholic beverages to an office party.

However, if an employer does decide to provide or allow alcoholic beverages at an office event, state laws regarding their use and resulting employer legal responsibilities should be consulted and addressed. Also, there are several measures employers can take in attempting to minimize any negative consequences of alcohol consumption. (See nine tips below)

The department's Working Partners initiative raises awareness about the impact drugs and alcohol have on the workplace and provides information on how employers and employees can work together to establish drug-free workplace programs that protect worker safety and health. Employers can learn ways to minimize potential repercussions of alcohol consumption, including tips for planning workplace celebrations, by visiting DOL's Working Partners Web site . All Working Partners tools and resources—including training materials and information on developing a drug-free workplace policy—are available online at www.dol.gov/workingpartners.

The DWI Resource Center is a 501c3 tax-exempt New Mexico organization formed to reduce the social and economic impact of DWI in New Mexico through rpublic awareness, education, prevention programs and research. The Center also provides assistance to victims and serves as a central clearinghouse for information on DWI and victims' rights.

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Nine Tips For Office Celebrations

- 1 Be honest with employees.** Make sure your employees know your workplace substance abuse policy and that the policy addresses the use of alcoholic beverages in any work-related situation and office social function.
- 2 Post the policy.** Use every communication vehicle to make sure your employees know the policy. Prior to an office party, use break room bulletin boards, office e-mail and paycheck envelopes to communicate your policy and concerns.
- 3 Reinvent the office party concept.** Why have the typical office party? Try something new like an indoor carnival, group outing to an amusement park or volunteer activity with a local charity.
- 4 Make sure employees know when to say when.** If you do serve alcohol at an office event, make sure all employees know that they are welcome to attend and have a good time, but that they are expected to act responsibly.
- 5 Make it the office party of choice.** Make sure there are plenty of non-alcoholic beverages available.
- 6 Eat...and be merry!** Avoid serving lots of salty, greasy or sweet foods which tend to make people thirsty. Serve foods rich in starch and protein which stay in the stomach longer and slow the absorption of alcohol in the bloodstream.
- 7 Designate party managers.** Remind managers that even at the office party, they may need to implement the company's alcohol and substance abuse policy.
- 8 Arrange alternative transportation.** Anticipate the need for alternative transportation for all party goers and make special transportation arrangements in advance of the party. Encourage all employees to make use of the alternative transportation if they consume any alcohol.
- 9 Serve none for the road.** Stop serving alcohol before the party officially ends.

If alcoholic beverages are provided at office social functions, state laws regarding their use and resulting legal responsibilities should be consulted and addressed. This information provided by the U.S. Department of Labor is not intended to be a substitute for legal advice and should not be relied upon to determine what steps employers can or should take to address potential legal liability.

Hiring A New Employee? Check out their DWI record online!

A DWI on an employee's record can be an indicator of alcohol & drug-related problems, lack of personal responsibility, and poor decision-making skills. Check your employees' records before you hire! The DWI Resource Center offers employers a free online DWI offender database, containing records from the last five years. Check your employees' records today by visiting our website:

<http://www.dwiresourcecenter.org>

Drunk Driving Prevention Benefits Employers And Communities

Preventing impaired driving requires the involvement of community leaders and organizations with the power to spread the right message to those who need to hear it most. Employers have enormous potential to contribute to the campaign to eliminate impaired driving. Those most likely to drive impaired—those between the ages of 21 and 34—are well represented in the workplace and provide a captive audience for prevention messages. But employer-sponsored prevention efforts do much more than just benefit employers' communities—they're good for business. Call the DWI Resource Center at (505) 881-1084 for free DWI awareness paycheck inserts this holiday season.

Impaired Driving vs. Drunk Driving

Although common in everyday language, the phrase "drunk driving" is not actually used as a legal term because many drivers who are part of the problem do not exhibit visible, outward signs of drunkenness. Rather, the term "impaired driving" is used because it better describes the realities of drinking alcohol and driving—when an individual consumes alcohol, even at low levels, his/her ability to drive is impaired even though outward signs of impairment may not be evident.

Report a Drunk Driver! Call the DrunkBusters Hotline At:

1-877-DWI-HALT (394-4258)

This holiday season, please remember:
the best defense against a drunk driver is to
WEAR YOUR SEAT BELT!
Everywhere. Everytime. Everyone.