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Though 'Tis The Season To Be Jolly Reckless Partying Remains Pure Folly

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Egg nog, latkas, old friends, new friends and a whole lot of beveraging! Believe it or not, the holiday season is just around the corner. On behalf of everyone at Sherrard Kuzz LLP let us be the first to wish you a safe and happy holiday! We also want to remind you that as you plan your workplace holiday festivities be sure to plan for the safe arrival home of every guest.

For some time now it has been settled law that where a guest at a workplace event consumes alcohol, drives and injures or damages someone or something, including the guest him/self, the host employer may be held liable by the court any for damage that is caused. It is not enough for a representative of the host employer to merely discourage a guest from drinking and driving. Courts require more active intervention.

To protect your guests and others from harm, and your workplace from legal liability, consider the following best practices:

- 1) Ensure attendance at the party is voluntary.
- 2) Hire professional bartenders to serve alcohol; these people are trained to spot intoxicated revelers and how to handle them.
- 3) Provide non-alcoholic beverage options.

- 4) Avoid an 'open' bar; instead consider providing each guest with a limited number of drink tickets.
- 5) Ensure food (of substance; i.e., not merely chips and pretzels) is served at all times alcohol is available.
- 6) Stop alcohol service two hours before ending the function.
- 7) Confront intoxicated guests immediately and cut them off; do not wait until they are ready to leave the party.
- 8) Do not inquire of the impaired guest whether he/she thinks they are able to drive home; the worst person to ask for guidance in such a circumstance is the intoxicated person whose judgment is impaired; if you suspect someone is unable to drive do not allow them to do so.
- 9) Have a taxi chit available for every guest who requires one.
- 10) Call a friend or family member to pick up an intoxicated guest.
- 11) Arrange for discounted rooms at the event location (if possible) or a nearby hotel.
- 12) Under no conditions should you or your team allow anyone who appears intoxicated to get behind a wheel; if necessary, contact police for assistance.
- 13) Contact your insurer to discuss appropriate insurance coverage for your event.

To learn more, please contact a member of Sherrard Kuzz LLP. Happy holidays to all!

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