



TOP TIPS ON HOW TO HOST A SAFE AND ENJOYABLE WORK CHRISTMAS PARTY

With Christmas around the corner, many employers are planning their annual office Christmas party.

End-of-Year work functions provide a wonderful opportunity to celebrate and share your business' achievements and express gratitude to employees. It is also a great opportunity to get employees excited about the upcoming year.

Unfortunately, the mixture of alcohol and a relaxed, informal atmosphere, often leads to employees being injured and inappropriate behaviour occurring, such as sexual harassment and bullying.

It is important to remember that the legal rights and obligations of both employers and employees continue to apply during work events (even if held away from the workplace), just as they do during normal working hours.

Employers owe a duty of care to their employees during work-related functions, to take reasonable steps to identify and reduce potential risks, including those related to workplace health and safety, bullying, sexual harassment and discrimination.

To minimise the potential for issues or incidents to arise, employers should consider taking the following measures when preparing for and managing End-of-Year celebrations:

1. Clarify the scope of the event

Clearly communicate the hours that will constitute the "official" work Christmas party. Specify a clear start and finish time for the event and state that any activities facilitated by staff before, during or after those times are not approved by the employer and that employees bear their own risks when attending non-official events. Specify that any private arrangements between employees afterwards will not form part of the Christmas party.



2. Conduct refresher training on policies

- (a) Remind employees in writing, in advance of the Christmas party, that it is an extension of the workplace and that they are expected to uphold the same standards of behaviour that apply during ordinary working hours. Remind employees of their obligations regarding the responsible consumption of alcohol, appropriate language, behaviour and dress attire. Also remind employees that any gifts exchanged must be work appropriate and not offensive or sexual in nature.
- (b) If there is a Code of Conduct or other policies in place relating to acceptable conduct at work and work-related functions (for example, to do with drug & alcohol, bullying, sexual harassment & discrimination, social media and confidentiality), circulate copies of those policies (or links) to employees and consider undertaking brief refresher training in advance of the Christmas party.
- (c) Think about whether you need to issue any directions to your employees to avoid them posting inappropriate (or any) pictures of the Christmas party. Remind employees about any social media policies which are in place.
- (d) Ensure that senior employees are reminded of the need to supervise junior employees and display exemplary behaviour consistent with workplace policies.
- (e) Make it clear to employees that although the function is intended to be fun and enjoyable, inappropriate or dangerous behaviour may be subject to disciplinary action up to and including dismissal.

3. Conduct a risk assessment

- (a) Ensure that a risk assessment before the event is undertaken and that mechanisms are put in place to address any hazards identified.
- (b) If alcohol is being consumed, limit options to beer and wine (no spirits) and implement a "last drinks" cut off time. Alternatively, consider implementing a voucher system.
- (c) Ensure that employees are not drinking to an excess and increasing the risk of injuring themselves (or others). Ensure that sufficient food and non-alcoholic drinks (e.g., CHSTsoft drink and water) are available to mitigate the effects of the alcohol consumed.
- (d) Manage health and safety obligations by ensuring that employees who are drinking alcohol are provided with transportation (mini-bus or cabcharge vouchers).



- (e) Consider requiring a senior manager to remain present and sober at all times during the function in order to monitor the function and deal with any issues if they arise.
- (f) Inform employees in advance of the Christmas party, who they can confidentially report their concerns to in the event of an incident at the Christmas party.

4. Maintain procedural fairness

- (a) If an incident occurs or misconduct is alleged, avoid trying to discipline anyone or investigate the problem at the Christmas party (other than to request them to leave) – deal with the incident when everyone is sober and back at the workplace.
- (b) Conduct a thorough investigation into the incident including by interviewing all relevant parties and witnesses. Ensure that all employees involved in the incident are afforded fair and equal treatment. Maintain procedural fairness throughout the investigation and any disciplinary proceeding and seek legal advice if dismissal is being considered.

For further information or assistance contact Murfett Legal on [+61 8 9388 3100](tel:+61893883100).

Note: The above is a summary for general information purposes only. It is not intended to be comprehensive or constitute legal advice. You should seek formal legal or other professional advice in relation to your particular circumstances before relying on the content of this article.

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