



Responsible Holiday Celebrations at The Workplace

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Emmet Ore

Hello, hello, welcome, everybody. Thanks for being here today. My name is Emmet. I'm the marketing coordinator over at Avitus Group and we're a division partner of Vensure. And I'll be your host for the next hour. Today, our panelist, Robin Paggi, will be talking about how to navigate company parties and celebrations during the holiday season. Before we get started, just a few things. As always, there will be a Q&A session at the end. We'll do our best to get to all those questions, but if we don't get to them, we'll respond after on an individual basis. And just a reminder, this webinar is being recorded. There's no need to take notes and we'll share that recording with you after the session concludes today. As always, this webinar is brought to you by Vensure Employer Services. Vensure is the leader of 20-plus PEO partners with clients in all 50 states. Today's agenda includes some of the legal aspects of throwing company parties, some employer do's and don'ts, employee do's and don'ts, partying during the pandemic, party substitutions, and lastly, the Q&A. If you hear a topic that you need more clarity on, feel free to submit a follow-up in the Q&A box. As always, I'm joined today by Robin Paggi. She is a seasoned human resource practitioner specializing in training on topics such as harassment prevention, communication, team building, and supervisory skills. And with that, I'll hand it over to Robin.

Robin Paggi

Thank you, Emmet. As usual, we start with legal aspects and that puts a little bit of a damper on holiday parties from the get-go, but because we are in the business to protect our clients who are employers, that's what we think of first. So, let's go to the next slide and talk about some of those issues. First is the Fair Labor Standards Act, and you're probably aware that this act established the minimum wage and overtime pay, among other things. So, it is concerned about employees getting paid properly. What does this have to do with holiday parties? Do employers have to pay

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employees for attending holiday parties? Well, one of the first things that I learned in human resources is the answer to questions like that is often, "It depends." So, what does it depend upon? One of the things I want to make sure is clear is that the information I'm going to provide you about paying people for attending parties applies to nonexempt or hourly employees. You're probably aware that there are different rules for hourly employees versus salaried employees. And so, that's who we're concerned with here. And the reason for that is employers are required to track the hours that nonexempt or hourly employees work and pay them overtime if it is applicable. So, in general, voluntary attendance at a holiday party outside of regular working hours is not compensable working time, in general. However, there are situations that could make it compensable. For example, even if attendance at the event is entirely voluntary, if exempt or excuse me, nonexempt employees actually work while they're at the party, then that's compensable. Working would include things like setting up before the party, bartending, managing the food, making sure there is enough queso on the table, and staying after to clean up. All of those types of things could be compensable if nonexempt employees are involved, even if they volunteer to do it. So, it's a really good idea if employers are going to have employees do any kind of work at the event that they have salaried employees do it. Salaried employees are exempt employees. They don't get paid for the hours they work. They get the same salary regardless of how much time they work, in general. So have them do the work. Also, often employees feel compelled to attend company parties because there is an implied understanding that if they don't, they might suffer some kind of adverse consequence, such as they don't get that promotion or that raise that they think they're going to get. So generally, if employees are led to believe that their present working condition or the continuation of employment would be adversely affected by them not attending, then attendance might be considered compensable work. And again, we're still talking about nonexempt employees. So, employers should clearly communicate that attendance is voluntary, in writing, so that there are no misunderstandings. Additionally, holding the party during regular working hours when employees are already being compensated alleviates the "whether we have to compensate them" problem. However, attendance should still be voluntary, even if everybody is at work and getting paid for working because requiring employees to attend parties can lead to other problems that I'll cover a little bit later on. So, that was just the Fair Labor Standards Act.

Now, let's go to Title 7 of the Civil Rights Act. You're probably aware that this act protects employees and applicants from employment discrimination based upon five protected classes, which include race, color, religion, national origin, and sex. So, what would it have to do with holiday parties? Well, two things mostly. First, sex is one of the protected classes, as I just said. And the Equal Employment Opportunity Commission said that sexual harassment is a form of sex discrimination. So, sexual harassment is a violation of Title 7 of the Civil Rights Act. Sexual harassment is unwanted verbal, visual, or physical conduct of a sexual nature, and that can include lewd comments, people saying things, touching, staring, and kissing. So, employees who are subjected to that kind of behavior at the party could file a sexual harassment claim. Now, many, many years ago, at a workplace far, far away, a male coworker tried to kiss me at the company party right in front of my boyfriend, and the only reason he didn't kiss me was because my boyfriend intervened. The coworker was intoxicated. Does that mean he's not responsible for his behavior? No, he is responsible for his behavior, and so is the employer. So, one of the things about that situation, also, is that this coworker was at least twice my age. I was in my late teens at this point and I thought this coworker was a very gentlemanly, kind of father figure. So nice to me and I did not know that he had this desire to kiss me that was released through alcohol. So, that drastically changed the working conditions for me and my relationship with him. And that's one of the things that can happen as a result of these kinds of incidents. Alright, so that was one thing about Title 7, and the other is religious discrimination claims.

So, as I said, religion is one of the protected classes established by the Civil Rights Act. And sometimes religious discrimination claims result from overtly religious themes at parties. Now, I covered all of that information a couple of weeks ago with our webinar. And so, if you would like to view that webinar, it is available on the Vensure website, as are

other recordings that we've done since August. So, they're all available for you and for those of you who were tuned in a couple of weeks ago. I won't repeat myself anymore about discrimination claims based on religion and holiday parties.

Next up is OSHA. And on this one, I'm going to talk specifically about COVID. Now, most of the things that I'm talking about this is whenever you have your holiday party in the future. So, a year from now, two years from now, what have you. But, one of the things that we know is that some employers are still having in-person holiday parties, and we've got a pandemic going on, and we have OSHA. And OSHA says that employers are required to keep employees safe, and holiday parties is no exception. So, let me talk to you specifically about OSHA, and the pandemic, and some advice for you on this. Because of the pandemic, employers should follow the Centers for Disease Control and Prevention guidance on holiday celebrations. So, we hear from the CDC quite a bit about their recommendations. And, yes, they do change their minds on some things depending upon when they get additional information. So, for example, for a while, if I wear a mask, it only protects you. But now, the CDC says me wearing a mask also protects me. So, things change with the CDC. If you've been paying attention, you're well aware of that. However, we still suggest that employers follow the CDC guidelines because they're the best things that can protect you if things go awry. As long as you're following the guidelines, you should be in good shape if something happens. And so, here is some of the things: CDC guidance offers helpful insight into the spectrum of risk factors an employer should consider when planning company events. Even though they're not specifically about holiday parties, in general, their advice can help you with your holiday party. But, it's also important that employers consult state and local COVID-19 orders and guidelines because some states impose their own restrictions, especially the size of gatherings. So, for example, I'm in California. We've got very big restrictions against gatherings. Right now, we've got a curfew in place. Everybody's got to be inside by 10:00 p.m. And so, you need to see what your own state says about specific guidelines when you're planning your party. Also, consider attendees who are traveling from other locations and the places that they're traveling from and to. So, there are some states that if you are out of state and you travel to that state, the recommendation or the mandate is that you will quarantine for two weeks. So, those are all things that we need to consider when we are planning on who is going to be invited to that party. The CDC, as you know, makes a point of warning that there's an increased risk at physical gatherings of people who have not adhered to the recommended measures. And we know what they are, social distancing, mask-wearing, hand washing, and other prevention behavior. So, that's one of the things that you've got to consider, is that some employees are probably taking the precaution seriously and adhering to them and some employees might not be. And you mix those employees together, that might be a problem. So, employers certainly, if they're going to have in-person celebrations, can emphasize the importance of staying six feet apart, wearing facemasks during the event, and those measures that they should already have in their workplace. Also, employers can utilize screening tools, such as temperature taking and having people sign off that they're not symptomatic before coming into the party. So, again, all of this puts a damper on the party, but they're important. Now, this raises a thorny issue of what to do about employees who have been sent home because of being symptomatic or having COVID, those who are in quarantine because of potential exposure, or high-risk activities, who might need to be excluded from the party. So, and when you're in HR, you know the people who have tested positive, who have been exposed, all of that, and now you're going to have a party, do you invite them? Well, I would say the obvious answer is no. You're not going to invite them because they don't get to come to work. However, that then could have a claim with the Americans with Disabilities Act being violated because of excluding people, because of their medical condition. So, if all of this sounds like maybe we should not have an in-person party, I totally agree. But, not going to tell you what to do. Just if you're going to do it, be safe about it and know what the law and the guidelines require of you. Alright. And then finally on this slide, let's talk about workers compensation.

This is always in play. And in some states, injuries sustained at or after their party could fall under workers' comp coverage, if the party is within the course and scope of employment. So that's the thing, when people get hurt under the

course or scope of their employment, it's usually a workers' comp situation, but it doesn't pertain to getting hurt if you are engaged in horseplay, or goofing around, and if you are intoxicated. And that's how accidents usually happen at holiday parties because of the flow of alcohol. Now, mandatory party attendance would likely bring employee conduct within the course and scope of employment. So, that's another reason you want to emphasize that attendance is voluntary. And an example that I found of covered conduct that may trigger a workers' comp claim is if an employee is injured at a party by dancing. So, again, dancing drunk can lead to falls, and not only falling yourself, but falling into other people. And so, all of those things that can happen when people are intoxicated is another reason to curtail the flow of alcohol, which I'll get to in just a moment. So, one other thing to tell you about beforehand is that employers could also be liable for injuries caused by their own negligence, such as failing to stop illegal activity, such as turning a blind eye to drug use, or knowingly allowing intoxicated people to drive themselves home. Most liability issues at holiday parties are a result of alcohol consumption, as I said. So, remember the incident I told you about when I was in my late teens and coworker tried to kiss me? Well, in those days, the company I worked for had lavish, lavish parties. And this is in the 80s, and I worked for a restaurant. And so we had all the food and we had all the beverage right there and the alcohol flowed freely, which encouraged my coworker to kiss me. Well, unfortunately, two employees at one of those parties drove home while intoxicated and were killed. And to add on to that, they were minors. They were under the age of 21. Now again, this was in the eighties and times were different back then and hopefully a lot of employers have really curtailed, again, the use of alcohol at holiday parties. But, those types of incidents are the reasons that we provide you with this guidance now. Why it is so important, I mean, not only was the employer liable, which is terrible, that employers get sued for trying to provide parties to their employees, but even more so, two of my co-workers died. And so, that's one of the things to consider, is that things like that do happen.

Employer do's and don'ts. Well, I've already talked about some of those, but let's flesh it out a little bit. So, if you're going to have an event, you want to have it at a third-party location that has its own liquor license and crew. That way you transfer the obligation to the provider of the liquor, which lessens liability to a certain degree, but not completely. The venue you choose may require a certificate of insurance, so you should be prepared for that. And one of the good things about having an event at a third party location such as a country club, or a restaurant, or something, is that you have paid bartenders who monitor alcohol intake, can cut people off, if necessary, can ask people for their ID, make sure they're of legal drinking age or over. So, that's usually the best bet. Instead of hosting it in the workplace or at your home, than having it at a third-party location helps to lessen the liability to a certain degree. Also, ensure you have proper insurance coverage before the event, not after the event. Again, the most common problems an employer can be held liable for at a company sponsored party is alcohol and harassment. So, it's a good idea to check with your insurance broker about your employment liability insurance coverage and any limitations you might have, such as if your policy covers third-party liquor liability.

Make it inclusive. Now, I've talked about inclusivity a lot. And again, a couple of weeks ago, talked a lot about do's and don'ts as far as making people feel included. But one of the things that I didn't cover, because we talked mostly about religion, is making sure that everybody who works for you can attend the party because of its location. And what I'm talking about is accessibility for people who have disabilities. That's one of the things is that newer buildings have to be accessible to people in wheelchairs, but older buildings don't. And so, that's one of the things to consider if you are thinking about having it at some place outdoors or some place that was built a decade ago or excuse me, a century ago, or something like that, those are things to consider. Can everybody have access to the place where the party is going to be? So, something to keep in mind.

Creating party guidelines. Now your party guidelines should be the same as your workplace guidelines as far as dress codes, codes of conduct, social media policies, all of those things. So it's a good idea, if you don't have those things in place, to certainly create them. But if you already have them in place, that you just roll them out again, before the party,

just to remind everybody that, yes, even though the party might be away from the workplace during non-working hours, it is still a work event. And all the policies that the workplace has are still in place, and people are expected to adhere to them. And if they don't adhere to them, that could be a problem for them at the party and back at work the following day. Employers have begun creating policies that discourage employees from posting unfavorable content about their coworkers, including comments about employees' protective characteristics on social media. So, one of the things that frequently happens with parties is people whip out their phones and they start taking pictures, and then they start posting those pictures on social media. And sometimes employees don't want their pictures posted on social media by other people, especially if an employee doesn't look too good in the picture. Now, they might not look too good because of how they're behaving, or just how they look in general. But that's one of the things, is that employers need to ensure that employees are not posting pictures taken at company events like that without permission. So, one of the things that you might consider is to have a photographer, whether it's a paid photographer or one of your exempt employees because they'll be working at the party, but have a photographer taking lots of pictures, and that is an incentive for employees not to take their own pictures. Why spend time taking my own pictures when we have a photographer who's taking pictures or is going to post them and that kind of thing? So, that might be a good deterrent against having those pictures taken and posted. Alright. So, again, limit alcohol intake and make arrangements for rides. So, let me talk about how to limit alcohol intake a little bit more. One of the things that employers often do is distribute drink tickets. And so you can do that, and maybe you have two tickets, maybe you just have one ticket and that gets the employee a drink. But maybe, you just have employees buy all of their own drinks, because if they're paying, they might not drink as much. Having an open bar, if anybody does that anymore, is just an invitation for problems to happen. So, there's more on limiting alcohol intake. Offer nonalcoholic options, such as coffee, hot chocolate, juice, soda, teas, sports drinks, water...anything that people could possibly want that's nonalcoholic, offer that. Serve food like bread and other things that absorb alcohol throughout the party to keep everybody full and help reduce their alcohol intake. Close the bar and stop serving drinks 90 minutes or 60 minutes before the end of the party. And have the party in the afternoon instead of the evening. Or, just don't serve alcohol at all. And then as far as arranging rides is concerned, you want to have alternative transportation options available, such as a designated driver, shuttles, Uber, and I suggest that employers pay for it. It is much easier to pay for somebody to Uber ride than it is to pay for a lawsuit that might happen.

Now, I want to give you an example of a lawsuit that happened, that involved an employee who went to the company party at the workplace, and what happened after that. So, here we go. And the employee's name is Michael Landry. And he was employed as a bartender at the Marriott del Mar Hotel in California, when he attended the hotel's annual holiday party. Before the party, he drank some beer and a shot of whiskey, at least one shot of whiskey at his house, and then went to the party, and took a mostly filled flask of whiskey to the party. Now, the reason he did that was because the employer had told everybody there was only going to be beer and wine served at the party. And so, that's one of the things that we advise employers to, okay, well, if you're going to serve alcohol, just make it beer and wine—don't make it hard liquor. And so, that was the plan for this holiday party. And he decided that he was going to take his whiskey with him, and so he did so. So, when he arrived at the hotel, the bartender who was serving the party was someone that Michael Landry knew because he was also a bartender there. And he got the bartender to give him some whiskey so that he could fill his flask. And he filled his flask at least one more time before he left for home. So, he went home and he arrived safely, and evidently, he took one of his coworkers home with him and after they got to his home, the coworker decided that she did not want to be there anymore. So, he drove the coworker to their home. And while he did so, he hit another vehicle. He was driving over 100 miles per hour. And he hit a vehicle, he killed its driver, and the driver was a doctor. Landry pleaded guilty to gross vehicular manslaughter while under the influence of alcohol. His blood-level alcohol was .16, twice the limit, and he received a six-year prison sentence as a result. So, that's the end of the story, right? Of course not. The doctor who was killed, his parents filed a wrongful death action against Landry, the hotel, and others involved. They allege the hotel held

the party for its benefit, including to improve relations between employees, improve relations between it and employees, and increase the continuity of employment by providing a fringe benefit. Further, although Landry became extremely intoxicated at the party, he was allowed to leave the hotel and drive home. The hotel argued it was not liable because the accident did not occur within the scope of Landry's employment. And the thing is, also, he had already gotten home from the party. So, they said we are not responsible for what he does after he leaves our party is already at home. So. Well, the trial court agreed, however, the appellate court did not. According to the Court of Appeal, the party and drinking of alcoholic beverages benefited the hotel by improving employee morale and furthering employer-employee relations. That's one of the reasons that employers have parties—which we'll get to a little bit later. Additionally, the Court of Appeals said the drinking of alcoholic beverages by employees was a customary incident to the employment relationship, that happened all the time. And they had employees who said, yeah, we sit around and drink after work and employer's all good with it. And evidence that hotel managers consumed hard alcohol with employees at the party, and that a hotel manager served hard alcohol to employees, suggest the employees had the employer's implied permission to consume hard alcohol at the party. One of the things, managers need to follow the guidelines themselves. And when they or supervisors, anybody in a supervisory position, does not follow the employer's policies, then that is just an open invitation for the employees not to follow it as well. So, again, the hotel said it was only going to serve beer and wine, and that was the protocol that they had established. And yet, they had managers who were drinking hard alcohol and who were serving hard alcohol. And so, that took care of that. So, additionally, an employee testified that historically there has been a lot of drinking and not a lot of control at these types of employee parties. So, the court concluded that a reasonable trier of fact could conclude that Landry was acting within the scope of his employment while ingesting alcoholic beverages at the party. Further, the court said that ingestion of alcoholic beverages at the party caused the accident. Therefore, the fact that the accident happened after Landry left the party, arrived home, and then drove after that didn't matter. And what they said was, we focus on the act on which vicarious liability is based, not on when the act results in injury. The court said that the hotel created the risk of harm by allowing an employee to become intoxicated and that it could have lessened the risk by having a policy prohibiting smuggled alcohol. Now, you probably didn't think that you needed to have such a policy, right? But there you go. So, having a policy prohibiting smuggled alcohol, enforcing its drink ticket policy, serving drinks for only a limited time, serving food, or forbidding alcohol altogether. So, once again, court cases provide us with a template of things that we should do. And so, that court did just that.

Now, some don'ts. Don't make employees attend. Alright, now we've talked about this, and I've talked about having to pay non-exempt employees when attendance is mandatory. But the other thing to consider, besides well, I don't want to make it mandatory because I don't want to have to pay people for showing up. The other thing is that some people don't celebrate holidays. And you don't want to make them attend a holiday party when they don't celebrate holidays because that's what leads to discrimination claims. And some people just don't like parties. And so, making them attend, because it's an implied part of their employment, is just not a good thing to do, to make people do things that they don't want to do, all in the name of fun. Also, don't make employees participate in activities, such as singing karaoke. Now, that one's near and dear to my heart, because a significant person in my life would have me attend his holiday parties with him. At which place, they made the employees sing karaoke and including the guest of the employees. And I told him that I could sue him for making me sing karaoke, but I like singing karaoke, so that's okay. Alright, but don't make them do stuff like that. Also, here's another thing in the workplace, don't make them wear Santa hats or things like that. And you might have heard of this lawsuit. It's a few years old by now, but Belke Inc. was sued for firing an employee who refused to wear a Santa hat at work. The employee was working as a gift wrapper and store managers ordered her to wear a Santa hat and a Christmas-themed apron during the holiday season while she's wrapping gifts. The employee was a Jehovah's Witness and her religious practices prohibited her from celebrating holidays like Christmas. And she explained this. And that's why she couldn't wear the hat and apron and they fired her as a result of that. So, the Equal Employment Opportunity

Commission sued Belke, and Belke settled the case by paying the employee \$55,000, removing references to the dispute from her personnel file, and providing a neutral employment reference for her. And the company also agreed to implement a policy to accommodate employees' religious beliefs and to provide annual training for managers. Well, I'm surprised that they agreed to implement a policy to accommodate employees' religious beliefs because that is required by law. And so, when we go back to the Civil Rights Act of 1964, religion is one of the protected classes. And one of the things that is established is that employers have to accommodate employees' and applicants' religious beliefs and practices, if it's reasonable. So, this case happened in 2011, and the fact that in 2011 they incorporated a policy that they would accommodate religious beliefs is a few decades too late.

And finally, for this slide, don't promote or allow inappropriate behavior by employees or their guest. An example of promoting inappropriate behavior is hanging mistletoe. I don't know of anybody does that anymore. But what are you supposed to do under mistletoe? You're supposed to kiss. And so, all you're doing is promoting people kissing each other, and hopefully, they're kissing the people that they came with, but who knows? So, don't do that and don't allow people to get away with behaving inappropriately at the party. Now, don't wait until after the party to discipline people. You've got to stop it at that point, which means that somebody has to monitor people's behavior and it usually falls to HR, and that's why HR usually doesn't like holiday parties because they are working them. But somebody's got to do it. Alright. So, that's where the employer let's go and see what employees should do and don't.

First of all, do attend. Now, I keep talking about how employers can't require you to attend, but if you are not restricted from celebrating holidays because of religious beliefs and practices, I strongly encourage you to attend the party that your employer is providing for you. And one of the reasons for that is that if you ever throw parties yourself, and you invite people to come, especially people that you really like and you think they like you, and then they don't come to your party, that kind of hurts a little bit. I know that because I used to throw parties all the time, and when people don't show up, it's a real bummer. Especially if you paid a lot of money for a lot of food, and things, and then people just don't show. And so, for an employee, even if maybe you don't like going to parties, but there's no restrictions against it, I strongly encourage you to go, because you've been invited, and your employer is the one who's doing that. And so, it would just be a nice thing to go eat the food the employer paid for, to show that you appreciate the invitation. Also, when you're there, you might want to mingle. Now, one of the things that people do is that when they go someplace, they hang out with the people they work with all the time because they know them. And that makes sense, especially for people who are more introverted, who just don't like interacting with people that they don't know, and it's hard to make small-talk with people on all of that kind of thing. But remember, this is a work event. And so, if you go and mingle with people that you don't normally talk to, it could be an advantage for you in the workplace. It could lead you to make connections that you've not had before, that could be advantageous for you. As long as you are dressed and acting appropriately. So, again, remember, workplace parties, whether they're at the workplace or not, are still work. And so, be sure that you dress appropriately. And if you're new to the workplace, especially, look at the dress code before you go or ask people what is the appropriate dress.

Now, one of the things when we're talking about dressing appropriately, we're tending to talk about don't be too risqué, don't wear clothing that is too revealing. But the other thing is, you want to make sure that you're wearing appropriate clothing as far as how formal it is supposed to be. At a different workplace, long time ago, we had a new employee show up to the holiday party and this was a guy. And he brought his wife and they were dressed in jeans and flannel shirts and things like that, and everybody else was in suits and nice dresses. And I felt so badly for them. Why did nobody tell him what was appropriate? And so, here's the thing for women, if your significant other is a guy inviting you to the holiday party, you might want to check in with somebody to find out what is the appropriate attire. Usually, the place that is held would suggest what the appropriate attire is, but not always. So, not only do you not want to dress too revealingly, but

you also want to make sure that you're dressed formally enough. So, that would be something that wouldn't be awkward for you. Have fun, and if you can't have fun, at least act like you are having fun. Don't sit around and scowl and talk badly about people and love that kind of stuff. And once we start acting like we're having fun, we tend to start having fun. And so, again, it is a workplace event, and how you act in the workplace is usually not your natural self. Usually, we act professionally and we need to act like we're having fun when we go to a party, and hopefully, you will be having fun. But again, if you act the part, you will become the part. And say thanks. And that's one of the things that I think probably few employees do, is actually thank their employer for the party. And I suggest you write a thank you note, a handwritten thank-you note instead of sending in an email. It is one of the things, sometimes employees think, well, my employer has to throw a party, my employer has to give me bonuses, they have to give me Christmas Day off, they have to do all those things, and they really don't have to do any of those things. And so if they do, I suggest you say thanks. Now, when you go to a party, try not to talk about work, especially in front of guests, because they don't want to hear about your work, and that's just not the time, okay? It is time to have fun and get to know your coworkers about things that you don't know about them, and they got family members that might be with them, and it's a good time to get to know them better so you can connect better with them when you go back to the workplace. Don't overindulge, as we've talked about. I mean, not only can you fall and hurt yourself, or get in trouble at the workplace, but you just want to make sure that you don't lose your job over the company party, because that's what can happen. Don't seek romance there, alright. And that's one of the reasons you don't want to overindulge, is because alcohol lessens our, what am I trying to say? Well, you know what I mean is that when you drink a little bit of alcohol, you loosen up a little bit and sometimes you loosen too much. Inhibitions was the word I'm trying to say. So, leave it another time. If you want to date a coworker, leave it for another time to ask that coworker out. And don't post pictures without people's permission on your social media. Make sure that if the company has any kind of policies against social media postings, you're very well aware of them, you are complying with them—because you don't want that to be something that gets you disciplined as well.

Celebrating during the pandemic. And so, let's go to next slide. There are so many virtual activities available now, and so all you have to do is Google them. And that's one of the nice things about people, is some people get really creative when things like a pandemic happen. And so, instead of letting the pandemic prevent them from doing things, it just inspires them to be creative. And so, there are so many virtual opportunities available now that are pretty high-tech and can be really fun. And so, that's a thing to do. If you're still going to go with that in-person idea, hold the party outside if you possibly can. And if it has to be indoors, make sure there's plenty of space so people can physically distance and that you've got proper ventilation. Provide hand sanitizer stations, masks, and other supplies to encourage good hygiene. And one of the things about the mask, make it fun. Give prizes for the best masks that people come up with, as far as festive and that kind of thing. And so, that could make people adhere to hygiene practices that you need them to adhere to because it's fun. Remind employees that they are required to adhere to any safety precautions because it's still work. Acknowledge or have them sign any acknowledgment that the event is voluntary and that they understand the risks in attending, have them sign it, put it in their file, and don't have activities like singing karaoke, because that spreads the virus, or chanting, or shouting, or anything else like that. Avoid potluck meals or self-service food stations. So, if you're going to have food, have it professionally prepared and have people serving it. Now, another thing that you can do is send employees gift boxes. And so, you've got a party and a box and you send it to them at their house. And so, that's a nice thing that you can do. And if you've decided to forego the party this year, all that money you've saved might just be put into bonuses for employees. I am sure right now they would appreciate that more so than anything else. So, those are some ways to continue to celebrate during this time.

And let's go to our next slide where we talk about a couple of party substitutions, not just during the pandemic, but at any time. One of the reasons that employers have parties is so that employees can get together and do something

besides work. And one of the reasons for that is because it does build camaraderie. And so, that's an important thing. However, there are some people, again, they don't like parties. They can't celebrate parties. So, how can we have that camaraderie-building, in a kind of fun way, but not have a party? Volunteer activities are a great way to do this. And this is something that my husband's firm does. Usually, the Friday before Thanksgiving, they go to the, one of the homeless centers here in town, and they prepare the holiday meal, just by cutting everything out and getting all prepped. So, they go do that together, and the employees have said that's one of the things that they enjoy most doing, as far as all of the activities that they have going for them, is that it makes them feel good, that they are doing something to help, and they're working side-by-side and they're chatting with their coworkers. So, they're getting to know each other. And so, those types of things can really achieve what you're trying to achieve with the holiday party, without all of the liability. Sports and cultural events, same thing, especially when people can bring family members with them, when they can bring their kids with them. And so, paying for employees to go to a baseball game or a football game, a play, or a museum opening, or something like that, again, it achieves the same thing. You've got people who are connecting, they're talking about the event there instead of talking about work, they're getting to know each other, they're bonding, all of those things that you're trying to achieve through that holiday party. And again, it is lessening the liability. And one other thing is that when family members are involved, usually people behave better because they've got their kids around, and so, they don't want to embarrass themselves, so they're usually on their best behavior. So, those are some of the ideas that you might incorporate going forward when we don't have to worry about a pandemic any longer. And hopefully, that will be soon. Alright. That's all the information I have for you. Do you have some questions for me?

Emmet Ore

Excellent, thanks, Robin. So, just once again, just a reminder, there is a little instruction slide here, so if you have any questions, you don't know how to enter those into the chat box, just look at the screen here and there is instructions. First question we have is, it sounds like there are lots of reasons employers shouldn't have holiday parties. What are some reasons they should celebrate with employees?

Robin Paggi

And I kind of mentioned that before is building camaraderie. I mean, if it's just all work, work, work, work, and that's all you do with your coworkers, then you don't have the opportunity to bond with them as much. And when people feel connected to their workplace, they're more likely going to stick around. And so, improving longevity, reducing turnover are reasons that it's important to celebrate with employees regardless of it's a holiday party or not. So, even if you're not going to have a party in the traditional sense, having some kind of celebrations with employees—birthdays, work anniversaries, Cinco de Mayo, all of that kind of stuff is a good idea because, again, it gives people the opportunity to get to know each other a little bit better, like each other a little bit better, and then end up work better together.

Emmet Ore

Thank you. Is it okay for the employer not to attend a company party?

Robin Paggi

Yeah, and that's one of the things that happens sometimes, is that employers pay for it and then they don't show up themselves, and that is not a bad idea, because sometimes when the employer is actually there, the employees don't have as much fun. And so, that's one of the things to consider. So, if you are an employer and you're thinking, "I have to go," not necessarily. But you do need to make sure that there are people there who, again, are monitoring inappropriate behavior, and taking steps if steps are necessary because situations arise.

Emmet Ore

Can you give us some ideas on what to include in the party and a box idea?

Robin Paggi

Well, one of the things, I think it depends upon your workplace, your workplace culture, that type of thing. For example, where I live in California, we have some places that have been here for a long time, like an ice cream parlor that makes taffy chews, and everybody loves those chews. And then we also have a company that makes pistachios and everybody loves those pistachios. And so, one of the things that's really popular where I live, is that when we are giving gift boxes, that we include those things that are really popular. Gift certificates to local restaurants, locally-owned restaurants—things like that. Now, the things I would not include is company swag. So, a mug with the company's logo on it, a T-shirt with the company's logo on it. I would not include those things unless those are things that your employees really like. And so, that's one of the things that I would do to determine if we're going to give a gift, that we ask the employees what they want. And you can do that by creating a list that says we want to give you a gift, choose one or five of the following or whatever, so you control it. You don't just say, "Hey, we want to give you something, what would you like?" I'd like a million dollars. Okay, well, we can't give you that. So, you want to control what the options are, but I think that's really the best thing. Most of the time, employees don't really want a mug or a T-shirt that has the company's name on it. And so, you're gonna give a gift, give something that people want so that your money is put to good use.

Emmet Ore

All right. I don't see any more questions at the moment.

Robin Paggi

Alright, I think we're probably good to go. I just do want to tell everybody that next webinar coming up is about religious accommodation. So, we're not going to talk about parties anymore. We're going to talk about all of the religious accommodations that you need to be aware of all year long. So, just a little promo for that.

Emmet Ore

Excellent. Well, if you guys have any questions, just send an email to webinarhrhelp@venture.com, and we'll answer those questions for you. In the meantime, have a great week. And thanks so much for being here, Robin.

Robin Paggi

Alright. Thank you, Emmet. See you next time