

Alcohol at year end functions:

2015 is drawing to a close and many companies are starting to make plans to celebrate the successes of the past year, to commend employees for work done and all round just social and spend some non-work time together. This normally takes on the form of a year-end function. And whether the function takes place on the premises of the employer, or at an alternative location there might be some alcohol involved.

Because employers can be held responsible for the conduct of its employees, as a result of the scope of their employment and the year-end function can be seen as part of the employment auspice this places employers in a particular predicament insofar the use of alcohol at work related functions. To further complicate this predicament some employers may even have a zero tolerance policy towards alcohol use.

With regards to protecting the employer, it is thus important to communicate their position on alcohol at work related functions to employees, or at the very least communicate the manner in which the current alcohol policy is relaxed in these circumstances. Failure to do so may cause the employer to lose its legal footing insofar substantive fairness for misconduct of employees.

The amended policy or communication should include:

- Acceptable conduct in terms of alcohol use
- Actions to be taken should the appropriate decorum and behaviour not be satisfactory
- Impact on disciplinary action (bear in mind some employees may make use of company vehicles, what happens if the employer is badmouthed, what is the standpoint on sexual harassment, violence, intimidation and the like).

From a practical perspective the employer will need to prove that reasonable steps have been taken to limit the potential for alcohol abuse. These might include:

- Disallowing drinking games

- Having a taxi service handy
- Distributing breathalysers
- Instruct the bar as to who not to serve
- Limit the amount of free drinks

Year-end functions should be an occasion to be festive and celebrate – not create the potential for conflict and endangering the work relationship. By implementing easy rules beforehand this can be limited and thus pave the way for having a more successful year end function.

Should you require help with this – please do not hesitate to contact us.

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