

## **End-of-Year Party HR Guidelines: How to Celebrate Without Having to Investigate**

As party season approaches, many Organisations will be working on the final preparations for their End of Year Party.

This annual celebration can be a key event for developing Employee relationships, boosting morale and fostering goodwill towards an Organisation. And more recently, with many Employees now working remotely, the End of Year Party also provides remote workers with a great opportunity to meet colleagues in person.

While it's important to celebrate another successful year in business, the End of Year Party also raises specific HR risks that Employers need to bear in mind. Inappropriate behaviour is the most obvious risk at an End of Year Party. Incidents that undermine the dignity of fellow colleagues can have serious consequences for individual working relationships as well as an Organisation's reputation as a business and an Employer.

To ensure party celebrations don't lead to HR investigations, Employers should take the following minimum precautions...

### **Code of Conduct**

Employers may be found vicariously liable for the inappropriate behaviour of their Employees. Incidents that happen at work-related social events even when they occur off-site and outside working hours may nevertheless lead to harassment and/or personal injury claims.

To successfully defend an Employee claim of vicarious liability, Employers must be in a position to demonstrate that they took all reasonable steps to prevent the unwanted conduct from occurring.

The first step involves ensuring that Employees understand the standard of conduct expected of them at work-related events. It is best practice to remind Employees prior to the event that their obligations under Dignity at Work and Anti-Bullying, Harassment and Sexual Harassment policies apply equally to their behaviour at work-related social events (which can include after parties that follow on from the event).

The pre-party circular should include a gentle reminder that any incidents or allegations that arise will be treated as if they had occurred during working hours.

### **Highlight Relevant Policies and Procedures**

Policies and Procedures to be drawn to Employees' attention prior to the event could include:

- Attendance at Work – To minimise the risk of no shows the day after an End of Year Party
- Email, Internet and Social Media – To ensure appropriate use of social media during and after the event
- Dignity at Work – To remind Employees of the appropriate standards of behaviour and the relevant anti-bullying, harassment and sexual harassment provisions
- Grievance and Disciplinary – To remind Employees that complaints or incidents will be investigated as a work-related grievance
- Health & Safety – To remind Employees about any control measures that minimise the risk of hazards at the venue (work premises or offsite).
- Drug and Alcohol-Free Workplace – To remind Employees about the consequences and potential sanctions of attending work under the influence.

## **Practical Considerations**

### **Attendance:**

It is a good idea not to put too much pressure on Employees to attend. Whether they have family responsibilities or other personal reasons for not wanting to attend, remind Employees that there is no obligation to attend the event.

### **Promote Inclusivity:**

With an increasingly diverse Irish workforce, many Organisations are likely to have staff that do not celebrate Christmas. To ensure all staff feel welcome, it may be more prudent to call the event the “End of Year Party” as opposed to the “Christmas Party” and to carefully consider the food and drinks that will be served. Vegans, teetotallers and Employees from various religious and cultural backgrounds may need to be accommodated.

### **Avoid Performance-related Discussions:**

Team leaders and managers should avoid performance-related discussions with Employees. The End of Year party is not the appropriate venue for discussions in relation to promotion, salary or career prospects. While often well-intentioned, words of encouragement may be misinterpreted as commitments and lead to future disagreements.

### **Inappropriate Secret Santa/Kris Kindle Gifts:**

Organisations should exercise caution if Employees are exchanging gifts from 'Secret Santas'. While the game should be light-hearted, a gift that one Employee finds funny, another may find offensive. It is important therefore to remind Employees to choose a gift that won't undermine the dignity of the recipient and lead to grievances or harassment claims.

### **Plan Travel Arrangements:**

Remind Employees to consider how they can safely travel home from the party. This could include providing information on public transport routes, or taxi services in the area where the event is being held.

### **Consider the Day After:**

If Employees are scheduled to attend work the day after the party, remind Employees that attending for work under the influence of drugs or alcohol could endanger their own or another person's health and safety at work and they may be subject to disciplinary action.

### **Have Fun and Celebrate:**

The End of Year Party represents one of the best opportunities for Organisations to encourage positive Employee relations in a relaxed setting. Employers with remote or hybrid staff in particular may wish to avail of this opportunity to welcome everyone to an in-person event. So once the right precautions are in place, everyone should have fun and celebrate!

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