

# Cutting them off: Owners ponder limits on alcohol at parties

By JOYCE M. ROSENBERG November 14, 2018



NEW YORK (AP) — The alcohol will flow less freely, and sometimes not at all, at some small business parties this holiday season.

Owners concerned about sexual misconduct and the safety of staffers and guests are eliminating or limiting the open bar, making their events alcohol-free or switching from a traditional cocktail party to activities including games and contests. Human resources consultants and employment law attorneys say they're fielding more questions about alcohol and parties than in the past following the string of high-profile sexual misconduct cases that began a year ago. They're advising their small business clients to impose limits on how much people drink.

Ladan Davia decided there'd be no drinking at her company's party this year after two incidents at last year's gathering — a male staffer and then a female staffer who were drunk groped other co-workers.

"I'm creating a safer environment for everyone," says Davia, owner of Beeya, a job search website based in Irvine, California. "While I know it can be seen as 'not fair' for banning alcohol from our holiday party, I would respond saying it's 'not fair' for anyone to feel uncomfortable especially in their place of work."

Davia understands that alcohol becomes a form of entertainment at an office party, so she's going to have substitutes for her 11 staffers and their guests: a magician, games and prizes.

HR consultant Rob Wilson has gotten many more calls than in the past from companies needing help with party policies. Even owners who haven't had problems are asking about going alcohol-free or limiting everyone's intake. Some owners ask whether they should have chaperones to ensure no one is overdrinking or trying to grope anyone.

"They're much more cautious than I've ever seen," says Wilson, president of Chicago-based Employco.

Owners' questions come from their concerns about staffers' well-being and the fact they're legally liable if drunken employees or guests are in accidents of any kind, hurting themselves or others. The company is also liable if a staffer sexually harasses or verbally or physically abuses anyone.

There are ways to prevent problems, starting with banning or limiting alcohol. One way to put the brakes on drinking is to give staffers coupons or tickets for drinks. Another option is to serve only wine and beer.

Some of Jay Starkman's small business clients struggle with the idea of not serving alcohol. They're concerned about sending a negative message to staffers.

"They're saying, 'I don't want to not trust my people, or insinuate that they're a problem,'" says Starkman, CEO of Engage PEO, an HR provider based in Hollywood, Florida. Using drink coupons is a way around that concern, Starkman says.

Julia Kravets used to have an open bar at the parties at her Brooklyn, New York, restaurant, Little Choc Apothecary, but some employees drank so much they became sick and Kravets had to help them into cabs. Last year, Kravets brought in games "as opposed to just standing there and alcohol is the only activity."

She did serve wine, but no one drank to the point of vomiting and "I didn't have to revive anybody," Kravets says.

When small business clients ask employment law attorney Mark Kluger what they should do, he tells them, no alcohol, period. But Kluger says that has been the most ignored advice given by the lawyers at his New Jersey-based firm, Kluger Healey, even though when alcohol is served, "things can get out of hand and often do."

This year, clients' concerns about alcohol are ramped up because of the potential for sexual misconduct. Kluger suggests they follow his firm's example — it's not serving alcohol and is having its party at a hatchet-throwing venue. Kluger believes his staffers and guests won't miss drinking because they'll be having fun throwing hatchets at wooden targets, much like the events in lumberjack competitions.

"We need to walk the walk," Kluger says. "Last year, we went bowling and we kept so busy, people weren't thinking, 'hey, we're not drinking.'"

Jonathan Bell, also an employment lawyer, is serving alcohol at his firm's party at a restaurant. But, he says, "we are sending an email before the holiday party about being responsible both for purposes of safety and for sexual harassment." He's also not allowing alcohol in the last hour of the celebration, and if his 11 staffers and/or their guests are drinking too much, he'll ask the restaurant to stop serving altogether.

Bell, founder of the Bell Law Group in Garden City, New York, is putting his staff on notice that they face discipline if they drink too much and behave badly. He notes that under the law, misconduct at a company-sponsored event is the equivalent of misconduct at work. He suggests all employers issue similar warnings — giving employees a reality check can help them stay in line.

“That seems to bring the focus to everyone that while they’re hanging out and having a good time socially, they need to be responsible,” he says.

---

For more small business news, insights and inspiration, sign up for our free weekly newsletter here: <http://discover.ap.org/ssb>

---

Follow Joyce Rosenberg at [www.twitter.com/JoyceMRosenberg](http://www.twitter.com/JoyceMRosenberg) . Her work can be found here: <https://apnews.com/search/joyce%20rosenberg>