



March Madness Brings Productivity, Legal Issues

News

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Bert Brannen was quoted in *Inc.* on March 10, 2015. The article “March Madness Brings Productivity, Legal Issues” discussed the importance of being aware of legal issues that may arise when participating in March Madness in the workplace.

Although the productivity drop may be annoying, trying to crack the whip and prohibit tournament-related activity may cause resentment and hurt morale, said Bert.

“Nobody wants to work for a killjoy,” he said.

In return for some lost productivity, owners will have happier workers who feel more of a connection with their employers, Bert said.

But there are some possible legal pitfalls in letting staffers enjoy some goof-off time during the tournament, he noted. If the boss lets NCAA fans have some down time, and they're predominantly men, then female staffers can claim the right to spend time on their interests. And if owners reprimand or discipline women staffers for surfing the Internet or chatting on the phone, they risk having the unequal treatment treated as evidence of sexual discrimination in the event of a workplace lawsuit, Bert said.

Office pools can also raise issues. They do constitute illegal gambling, although with millions of pools being run in workplaces across the country, the chances of having the police show up are quite low. But if pools are condoned, some workers might expect the boss to be lenient about other less acceptable behavior like sexual harassment that can land a company in legal trouble, Bert said.

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