

WITCHES AROUND THE WATERCOOLER: 8 TIPS FOR HALLOWEEN IN THE WORKPLACE

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The ranks of employers permitting employees to wear costumes at work to celebrate Halloween is slowly increasing, tearing down stodgy dress-code rules and tossing a little levity into the workday. Halloween work celebrations are not limited to a particular industry. Even some “conservative” members of the financial and legal fields are creepin’ it real—at least for one day.

Celebrating Halloween at work appeals to the child in each of us and may help foster teamwork and morale. But there are a number of pitfalls to avoid from the employer’s perspective. Here are some best practices employers should follow for any Halloween celebration.

Remember Last Year

Consider the feedback received from your employees or customers during a previous year’s Halloween event. If the majority of your employees didn’t participate, and the event was received about as well as a decaying pumpkin, perhaps you should forego any festivities. If the event went smoothly and many people participated, the benefits might outweigh the risks.

Determine If Costumes Are The Right Fit

Many employers—after careful review—may decide to nail the coffin shut on any type of Halloween celebration. Costumes may raise all sorts of

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insurmountable hurdles on the potential physical injury front, especially for businesses that utilize machinery, vehicles, or any other mechanical device or apparatus where costumes pose a hazard. Costumes may appear harmless – just fabric and thread – but variables are numerous and some are risky. Nobody wants to get sued because Sue slipped on Superman’s cape.

Further, costumes may open the door to all sorts of behaviors that test a company’s zero-tolerance policy for sexual harassment and racial and religious discrimination, and risk disturbing longstanding relationships with customers and the general public. There were many good reasons why, this year, various stores nationwide pulled their “Tranny Granny” Halloween costumes (insensitive to transgender people), “Moana” costumes (insensitive to Polynesian culture), and “Razor Blade Suicide Scar Wound Latex Costume Makeup Kits” (we are not making this up). Next year it will be something else.

Figure Out What Kind Of Event To Have

Many employers have successfully and appropriately hosted Halloween breakfasts or luncheons, trick-or-treating around the office (no tricks, just treats), and group decorations or displays. Consider an alternative to donning a full costume, and instead allow employees to participate in some form of celebration – such as wearing “crazy” socks or masks, or participate in Halloween games, like horror movie trivia.

Review Company Policies And Procedures

If you decide to permit a Halloween work event, review your company policies and procedures and pay special attention to those policies that dictate or relate to dress, decorum, and electronic communication. Halloween can result in sweaty goblins at the gate as well as the inappropriate sharing of electronic communication containing offensive images and text. Remind managers and employees of harassment and internet policies in advance of Halloween, and make sure employees also know in advance that there are consequences for violating company policies and procedures.

Set Clear Parameters

Employees should be reminded to use good taste and judgment when making their costume selections. Costumes that are sexually provocative, carry political or social messages, or involve weapons or weapon-like props are simply inappropriate while interacting with coworkers and customers. So are any costumes that are racially or culturally offensive.

The message from you, as the employer, should be one of restraint and reflection. Work with your HR team prior to the celebration to determine what is inappropriate or unsafe for your workplace, and communicate (in writing) those expectations to your staff in a customized Halloween policy before the event.

Remind Employees They Are Still At Work

On the eve of the event, or on the morning of the event, remind employees of your customized policy, and that employees must act and behave appropriately at all times. Remind employees that standards of professionalism apply during the entirety of work-related Halloween events. A manager or HR person should be assigned to monitor the very beginning of the event (to ward off witches and ghouls who take their ghoulishness too far) and then a manager or HR person should be present and oversee the event.

Be Prepared To Discipline

While there is no need to overreact, be prepared to address employees who, despite being notified of a company's expectations, appear in inappropriate costumes or send offensive emails. Be mindful of your company's progressive discipline policy.

Apply Rules Evenhandedly

Although discipline should be issued on a case-by-case basis, always apply company rules, policies, and penalties evenhandedly and without even the appearance of unlawful discrimination. If you have been lax in enforcing your rules and policies in the past but decide to apply them rigorously this year, inform your employees beforehand of your intent to enforce

the rules as written, and then follow through with the plan.

These practices will go a long way in treating your employees to a fun event. You can let the bats out of the cave for a day without caving in to batty behavior.

For more information, visit our website at www.fisherphillips.com, or contact your regular Fisher Phillips attorney.

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