

# Example of purton vs. marriott case study

[Law](#), [Criminal Justice](#)



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## **Facts**

The defendant Landri consumed alcoholic drinks in a party organized by his employer Marriott International. The employee drove safely to his residence but was involved in a “tragic accident” that resulted to the death of Dr. Purton.

The plaintiff’s family sued the company demanding that he is responsible for the harm caused by Landri his employee. The company argued that it was not liable because Landri committed the accident after arriving at his residence and sought for summary judgment. The trial court ruled against Purton’s family and they appealed to the appellate court.

The appellate court ruled that the company was liable for the harm caused by Landri because the company was responsible for the act that facilitated the commission of the accident and that is intoxication.

The court further ruled that the party promoted productivity and thus companies should be liable for the risks that they expose the employees to

in the course of achieving and promoting the well being of the company. In this case, the court held that the employee intoxicated state was as a result of provision of alcoholic drinks by the employer at the party thus the company cannot claim indemnity. The appellate court ruled in favor of the Purton's family and overruled the district's court decision.

## **Issues**

Is an employer responsible for harm arising out of intoxication that was offered by an employer to his employees during "employees thanksgiving parties"?

## **Rule**

Torts law through the doctrine of "respondeat superior liability" provide that an employer is responsible for harmful acts of his employees as long as they are committed within the "course" of their tasks.

## **Analysis**

The appellate court held that the trial court erred in awarding "summary judgment" against the plaintiff. The appellate court held that despite the fact the employer did not have the ability to foresee that harm could arise. Additionally, the court stated that the fact that an employee did not cause damage after leaving the party to his home does not exempt the employer from liability of an injury that occurred as a result of the intoxication of the employee after his arrival at his residence.

Secondly, the court ruled that the aim of the party is to boost the "productivity" of the employees by the employer as well as promoting healthy relations between employee and employer. In this case, the

employer allowed the employee to “bring along” his whiskey to the party and additional alcoholic drinks were provided to the employees. The court thus ruled that the employee in question engaged in drinking in a location designed by the employer thus the employer should be liable for the acts arising out of the actions of the employees because the employee intoxication was as a result of provision of alcoholic drink by the employer.

## **Impact**

The ruling imposed a liability to employers if their employees committed harm while drunk. The appellate decision interpreted the provision of “respondeat superior liability” by arguing that an employer cannot argue that he did not foresee the possibility of harm occurring due to the drunken nature of his employees.

Additionally, the appellate court expounded that an employee should have engaged in drinking “alcoholic drink” in his ability as an employee” of the employer . Employers should therefore monitor the extent of “intoxication” of their employees during parties where liquors are provided to curb liability. Employers should therefore develop mechanisms that include escort of drunken employees to their homes and formulation of policies that prohibit intoxicated employees from driving after consuming “alcoholic drinks” in parties organized not their employers.

## **Conclusion**

The decision is fair . The ability to make employers liable for harm caused by their drunk employees will enhancement enforcement of “justice” to victims. An employer is liable for letting his employees drive while

intoxicated while being versed with the potential ``risk" that they were exposing the public to such as accidents.