



Serving It Right

Program Manual

October 2018

Exam Instructions — Page 7

This manual is intended to be used as a learning and teaching aid in the Serving It Right program. The material in the manual is not intended to cover every aspect of responsible beverage service. Instead, it emphasizes some of the important roles and responsibilities, as well as strategic tactics, that program participants should be aware of in their alcohol service duties. Program participants should familiarize themselves fully with the Liquor Control and Licensing Act, the Occupier's Liability Act, the Cannabis Control and Licensing Act and other applicable regulations. The Province does not accept any responsibility or liability for the accuracy or completeness of the manual or for any errors or omissions and expressly disclaims any such responsibility.

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The following resource was consulted in the creation of this manual:

- Case studies adapted from "Video 5: Evaluating Real-World Scenarios." DVD. National Restaurant Association Solutions' ServSafe Alcohol program. Available from: www.chooserestaurants.org



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1 — Getting started with Serving It Right

Objectives for section

In this section you will learn:

- What is Serving It Right?
- Who needs a Serving It Right certificate?
- The changing view of alcohol
- The impact of a responsible beverage service program

What is Serving It Right?

The overall goal of alcohol policy in BC is to use regulation and other strategies to maximize social and economic benefits while minimizing alcohol-related harms and costs. A fundamental component of reducing alcohol-related problems are training programs like BC's **Serving It Right (SIR)**. SIR is designed for people working in tourism and hospitality (as well as individuals whose Special Event Permit requires them to have Serving It Right) to find ways to keep customers and the public safe while allowing them to enjoy the benefits and pleasures that good food and drink can bring. It is designed to encourage a responsible, caring and professional approach to the serving of alcohol.

SIR provides critical information on the effects of alcohol on people by itself and when used with other intoxicants like cannabis, and techniques for preventing over-service. This information will help you develop a more positive environment for your patrons, a professional image for your establishment, and increased awareness of your legal responsibilities around alcohol service.



SIR educates **licensees**, servers and retailers to:

- understand the effects of alcohol on the body including the effects of **co-use** of alcohol with other intoxicants such as cannabis
- know how to recognize signs of intoxication
- know their responsibilities under the law and the consequences for not meeting them
- know how to ID minors to prevent underage drinking
- know how to develop and/or support appropriate alcohol service policies
- know how to handle typical situations requiring intervention

History

The Serving It Right program was initiated during a provincial liquor policy review in 1987. During the review's public hearings, representatives from virtually all types of licensed establishments requested a mandatory **responsible beverage service (RBS)** program for BC. More than 20 similar public and private sector programs were reviewed in order to develop the original program. Serving It Right differed from these other programs in that it was a joint initiative of both the Liquor Control and Licensing Branch and the hospitality industry. The involvement of these two groups ensured that:

- the course provided authoritative information on provincial legislation and Liquor Control and Licensing Branch policies;
- the skills and strategies presented in the course drew on expertise in the industry and are practical and workable in the context of licensed establishments.



Exam instructions

The fastest, easiest (and greenest) way to get your SIR certificate is online at <https://www.responsibleservicebc.gov.bc.ca/>

The online program is convenient and offers quizzes to help you learn the materials. You will receive your test results immediately. Upon successful completion, you can also print out your SIR certificate right away.

SIR certificate expiration and recertification requirements

As of September 15, 2015, all SIR certificates will have a five year validity period, after which they will expire and will need to be renewed. Any current SIR certificates without an expiry date will be deemed to have expired on September 15, 2020.

Who must have a SIR certificate?

All licensees, managers and staff must obtain SIR certification prior to working in a licensed establishment. SIR certification is not an eligibility criteria for licensing, but it is an operating requirement.

Whether or not you—or your staff—require a Serving It Right certificate generally depends on the type of liquor licence you have. Review the relevant licensee terms and conditions handbook for more details.

Food-Primary Licence (restaurants)

This type of licence is issued to businesses where the primary purpose is the service of food when liquor is being served in the service area. The businesses may use their service area for activities or events that are not food focused, as long as liquor service is not offered. Licensees, managers, servers and all those who may be left in charge need to have a SIR certificate. If you have a catering endorsement, the SIR program must be completed by all licensees, managers and servers working at events.

Liquor-Primary Licence / Liquor-Primary Club Licence (For example, bars, pubs, nightclubs, casinos, stadiums)

This licence is issued to any business, except those frequented predominantly by minors or that operate in a motor vehicle where the service of liquor is for on-premises consumption. This may include bars, pubs, nightclubs, stadiums, spas, art galleries and cooking schools, etc. Licensees, managers, servers and bartenders in these establishments must all have SIR certificates. If you have a catering endorsement, the SIR program must be completed by all licensees, managers and servers working at events. Flight attendants serving alcohol on the ground must also have SIR certification. Food primary establishments can apply for a liquor primary licence at the same location and operate as a bar or nightclub after a certain hour, such as 9 p.m. Liquor primary establishments can also apply for a food primary licence at the same location and operate as a restaurant and permit minors during specified hours, such as until 7 p.m. A liquor primary and a food primary may not be operated at the same establishment unless the same person holds both licences.

Catering Licence

This type of licence is issued to catering companies to provide a full range of food and beverage services at their clients' events. Licensed caterers can purchase, transport and sell liquor, and may maintain a liquor inventory. Events where liquor is sold by a licensed caterer are considered either residential events or catered events. Licensees, managers and staff serving liquor at events must have a SIR certificate.

Licensee Retail Store Licence (private liquor stores)

Licensee retail stores, commonly known as private liquor stores, may sell all types of liquor. All licensees, managers and sales staff at licensee retail stores must have SIR certificates.

Wine Stores

There are five types of wine stores, which are authorized to sell only packaged wine for off-premises consumption. All licensees, managers and servers in all wine stores, with the exception of sacramental wine stores, must have SIR certificates.

Special Wine Stores

The special wine store licence permits the sale of 100% BC wine on grocery store shelves. Wine may be purchased at designated tills or regular tills. Regardless of the type of till, the staff making the sale must have Serving It Right certification and be at least 19 years of age.

Duty Free Stores

All managers and servers, with the exception of ship chandlers must have SIR certification.

BC Liquor Stores

All managers and sales staff at BC Liquor Stores must have SIR certificates.

Manufacturer Sampling Areas, On-Site Stores, Lounges and Special Event Areas

SIR certification is required for all licensees, managers and servers.

Rural Agency Stores

Rural agency stores (RAS) are liquor stores situated within larger retail stores such as a grocery store and are typically found in more remote locations. They may sell all types of liquor. SIR certificates are required for agents and servers in rural agency stores.

Agents

All agents and sales staff must complete the SIR program, with the exception of foreign representatives of foreign liquor manufacturers.

Care Facilities

Staff responsible for the service of liquor to their patients, residents and guests must complete the SIR program.

Special Event Permit

This permit is issued to an individual, organization or business to sell or serve drinks containing liquor to patrons in the service area under the permit at a special event. Anyone planning to sell liquor in any location that is not licensed or serve or sell liquor in a public place—such as a community hall must apply for a Special Event Permit (SEP). A SEP is not required if your event is hosted within a private residence or a licensed establishment. Special events include both private and public events such as weddings, cultural or sporting events, community festivals, outdoor concerts, etc. The host of the special event (either an individual or a designated representative from a club or other group) must apply for the SEP.

A new, abridged training program has been developed specifically for SEP events and is required as of September 15, 2015. The new **Special Event Server (SES)** training is required for SEP holders, managers and servers of events with under 500 attendees and all SEP servers (paid or unpaid), regardless of the size or type of SEP. Those who already hold a valid Serving It Right certificate are not required to take the SES program. More information can be found at www.specialeventserver.com.

The former Special Occasion Licence (SOL) is now called a Special Event Permit (SEP) to reflect the new language used in the Liquor Control and Licensing Act. The terminology has been updated because permits are temporary in nature and licences are permanent.

The effects of too much alcohol

While the majority of alcohol consumers in the province drink responsibly most of the time, there are occasions where people drink in ways that put their health and safety at risk.

Research shows that:

- Alcohol is one of the top three leading risk factors for death from cancer;
- One in three people experience harm from someone else's drinking;
- There are over 1800 deaths, over 18,000 hospital admissions, and over 80,000 alcohol-related crimes every year in BC;

- 40% of car crashes in BC are alcohol-related;
- Healthcare and policing costs total 900+ million per year, almost equaling to the revenue generated from alcohol.

Alcohol is a particular problem if the drinker is consuming other drugs, operating a motor vehicle or pregnant. The combination of alcohol with energy drinks have become increasingly popular—this can be dangerous given the ability of energy drinks to mask feelings of intoxication, making people feel less drunk than they really are.

How much is too much?

To answer this question, experts from across Canada came together to develop Canada's Low-Risk Alcohol Drinking Guidelines. These guidelines can help Canadians moderate their alcohol consumption and reduce their immediate and long-term alcohol-related harm. See Appendix D to review these guidelines.

The changing view of alcohol

Governments and the public are concerned about various issues related to alcohol over-consumption, including chronic diseases like cancer and cardiovascular disease, injuries and car crashes along with overall public safety. As a result, the Centre for Addictions Research of BC, the BC Ministry of Health, and other organizations across Canada are promoting low-risk drinking guidelines. Young people are more aware than ever before of alcohol-related issues, as is evident in dry grads and designated-driver programs.

Laws and regulations have also changed as a result of the mounting evidence on the harms related to alcohol. For example, injured parties from alcohol-related incidents are taking their cases to court, where, increasingly, judges assign a percentage of the fault to commercial hosts. Courts are placing an expanding responsibility on the owners, managers and staff of licensed establishments to provide responsible beverage service.

Laws and regulations have been expanded as a result of the legalization of non-medical cannabis. The federal and BC governments have expanded criminal and

provincial sanctions to address the increased risk to young people, and others, with ready access to alcohol and cannabis.

This may lead to a new wave of cases going to court, relating to incidents arising from the co-use of alcohol and cannabis. Cases outside BC such as in Ontario, have already found that commercial establishments must be vigilant for both alcohol and other intoxicants like cannabis when monitoring patrons.

The impact of responsible beverage service

Implementing a responsible beverage service program in every alcohol-serving establishment in BC can decrease service-related alcohol problems. An RBS program provides servers, managers and licensees with the knowledge necessary to meet their responsibilities, including eliminating the sale and service of liquor to minors and reducing over-consumption of alcohol on its own and in relation to other drugs like cannabis in licensed establishments.

SIR and you

While you are reading through the manual, reflect on the purpose of the program and your role in its success. Yes, it is important to pass the exam and get your certificate, but it is also important to remember that you play an important role in a cooperative effort. The growing movement of RBS programs like SIR in North America reflect our society's concerns about alcohol-related problems. You, as a server or seller of alcohol, have an important role to play in an effort that includes the tourism and hospitality industry, the government and the general public. Be sure to carry your SIR card with you!

Getting the most out of this program

This manual and the Serving It Right program are intended to give you the knowledge to provide responsible beverage service within your establishment. While going through the manual, think about situations you've encountered at work and how you might apply the knowledge and techniques described here.

Use the manual as a stepping-stone to discuss and discover new ideas with your team. The "Questions to ask at work" part of each section in the manual will provide you with some good topics for discussion at your workplace. There are also additional resources for each section listed in Appendix C.

Responsible beverage service does not end with SIR certification. Skills can only be developed through practice and work experience. Therefore, further training is strongly encouraged to build upon the fundamental knowledge acquired through this course.

Preparing for the Serving It Right certificate

It is very important that you read and understand all the material contained in this manual. Before being qualified for a Serving It Right certificate, you will be required to successfully take an examination on this material.

Completing the chapter quizzes, exercises or activities will also help you learn the material and understand the practical application for your work. Before taking the exam, go through the section objectives and review the key terms to make sure you know all of them.

The answers for all tests and exercises are provided in Appendix A. Don't peek! Try to do them without checking first.

Are you ready to get started?

The following case study will get you thinking about how to deal with scenarios you face in your establishment. Read it through and answer the questions that follow. Once you have successfully completed the Serving It Right program, you will have the tools to confidently deal with this situation and others as they occur.

Case study

In a local bar called The Spot at about 4:00 p.m. an attractive young lady approaches the bar. The bartender, Jim, notices her and says, "Hey... and what can I do for you this afternoon?" The young lady, Dianna, looks Jim in the eye, smiles and says, "Well, I guess if you insist, you could make me a Cosmopolitan." "My pleasure," replies Jim. "Oh... listen I hate to do this, but can I see your ID?" Dianna answers, "Sure, if you insist. How could a girl resist?" Jim quickly scans the ID. "Dianna, you're a long way from home!" She smiles, "Yeah... I just moved here last month. Need to get a new licence." Jim is taking a closer look at the ID when Dianna interrupts him, "You from around here?" Jim looks up. "Yeah, you know the library about a mile north of here?" Dianna responds, "No way! We're practically neighbours! You should show me around some time." Jim responds with a smile. "That's what good neighbours are for. That was a Cosmo, right?" "Yeah, thanks" says Dianna.

Dianna returns to her table with her drink. Over the next two hours she drinks three more Cosmopolitans with her friends, who are also drinking. Just after 6:00 p.m. she walks to the bar and orders another cocktail from a new bartender, Tony, who has just come on shift. She and her friends, who are all laughing loudly, drink two more cocktails between 7:00 and 8:00 p.m. Dianna's eyes look heavy, and she occasionally nods off. The girls attempt to leave the bar around 8:00 p.m. Tony notices them leaving and says to Dianna, "Hey, are you OK to drive? You've had three Cosmos tonight." Dianna looks at the bartender but has trouble focusing, and her eyes are bloodshot. "Yeah, I'm OK. I'm just going home." "All right then," says Tony. "Take care and have a good night."

Dianna gets in her car with her friends and speeds towards a new nightclub that has just opened. On the way she hits a curb, loses control of her car and hits another oncoming car.

How much do you know?

1. Review Jim's ID checking technique. What signs did Jim ignore while checking Dianna's ID, and what additional techniques could he have used?
2. What could the staff at the bar have done to prevent Dianna's over-consumption?
3. What indications were there of guest intoxication?
4. What steps could the staff have taken to ensure Dianna did not get behind the wheel and get in an accident?
5. Who might be held liable if Dianna injured or killed someone? Explain why. What legislation might be referred to in court regarding this case?
6. Take a look at the house policy for your establishment. Do you have policies that would have covered all the problems in this case scenario? What policies need to be fine-tuned?

Keep your answers. You will have a chance to review them upon completing the manual.

Key term definitions

Serving It Right is BC's responsible beverage service program.

Responsible beverage service (RBS) is a program designed to encourage a responsible, caring, and professional approach to the serving of alcohol in order to reduce alcohol service-related problems.

A **licensee** is a person or entity who holds a licence to sell alcoholic beverages.

Co-use is the consumption of alcohol concurrently with other intoxicants, such as cannabis.

Quick review

Write out your answers and then check them in Appendix A.

1. What is a responsible beverage service program designed to do?
2. What is the difference between a food-primary licence and a liquor-primary licence?
3. On whom are courts placing increased responsibility to provide responsible beverage service?

By the end of Section 1 you should know:

- What is Serving It Right?
- Who needs a Serving It Right certificate?
- The changing view of alcohol
- The impact of a responsible beverage service program



2 — Alcohol effects & intoxication

Objectives for section

In this section you will learn:

- How to recognize intoxication and the over-consumption of alcohol
- What are the effects of alcohol on the body
- What are the effects of alcohol in combination with drugs, particularly cannabis
- What is blood alcohol concentration and a standard drink
- How to calculate blood alcohol concentration through standard drinks and equivalents

Check your knowledge

Select the best answer for each question. Check your answers in Appendix A.

1. Which of the following will sober up an intoxicated person?
 - a) coffee
 - b) exercise
 - c) food
 - d) time
2. Which is NOT a sign of intoxication?
 - a) quick breathing
 - b) slurred speech
 - c) inappropriate speech volume
 - d) sweating
3. In order to legally operate a motor vehicle in BC, your blood alcohol concentration (BAC) cannot be at or above:
 - a) .05% BAC
 - b) .08% BAC
 - c) .12% BAC
 - d) .18% BAC

Did you know?

- A person who is criminally impaired with a blood alcohol concentration of .08% takes more than five hours to become completely sober.
- Enforcement officers can enforce administrative and monetary penalties against a driver with a blood alcohol concentration of .05% or above.

Intoxication

What is intoxication?

As a result of consuming alcohol, an intoxicated person does not have the normal use of physical or mental faculties. There is no single scientific measure that determines whether a person is intoxicated, since **intoxication** is an observed state. Therefore, determining whether a person is intoxicated requires observing a person's mental and physical state, and comparing that state and observed behaviour to a normal person in full possession of his or her faculties.

How intoxication happens

As the alcohol reaches the stomach, some of it is absorbed and promptly enters the bloodstream. However, most of it passes on into the small intestine, where it is absorbed and also enters the bloodstream. Approximately 90% of the alcohol leaves the body after being processed by the liver. This organ is able to process alcohol at a relatively fixed rate of one standard drink per hour. A person's intoxication is increased when alcohol is being absorbed at a faster rate than it is being processed.



Effects of intoxication

As alcohol builds up in the body, the activity of the brain, heart and lungs may slow down. Alcohol can be absorbed, enter the bloodstream and travel to the brain in as little as three minutes. Early effects of alcohol consumption include impaired judgment, loss of self-control and lessening of inhibitions. As more alcohol reaches the brain, the person's physical abilities become significantly impaired, and coordination is lost.

By law, no one in BC is allowed to sell or serve alcohol to a person who is intoxicated or apparently intoxicated. The term "apparently intoxicated" places a great deal of responsibility on you to judge when a person is approaching intoxication or is already intoxicated.

Factors that influence intoxication

When drinking, each person will be affected differently. Many factors may influence how quickly alcohol affects a patron.

Rate of consumption

Increasing the number of drinks consumed in a given time period will greatly influence the rate of intoxication.

Amount consumed

“Doubles” and drinks made with more than one type of liquor typically contain more alcohol than standard drinks.

Age

Young and healthy people break down alcohol faster than the elderly and people in poor health. Younger patrons have more blood in their system, and their livers process alcohol more efficiently.

Sex

Women generally have more body fat than men and less body water with which to dilute alcohol. Women also have lower levels of the metabolizing enzyme required to break down alcohol.

Body weight and type

An overweight person generally becomes intoxicated faster than a muscular person who weighs the same and drinks the same amount of alcohol. Fatty tissue contains less water than muscle, so overweight bodies are less capable of diluting alcohol.



Food consumption

Food slows the absorption of alcohol into the bloodstream. On an empty stomach, alcohol reaches the brain in a few minutes and begins to affect behaviour and coordination. After a full meal, alcohol can take up to six hours to reach the brain. Food does not absorb the alcohol. It merely slows the speed at which alcohol is absorbed. Fatty foods are especially effective in slowing down the alcohol-absorption process. As fatty foods are more difficult to digest, they remain in the stomach longer than other types of food. The effect of the alcohol still occurs, but at a slower rate.

Medication and other drugs

Many common drugs (prescription medications, over-the-counter medications and illegal drugs) impair the user and increase the effects of alcohol. Using alcohol with other drugs can be very dangerous to a person's health and safety.

In particular, research shows that the most clinically significant interactions occur when alcohol is consumed with other substances like cannabis, which exacerbate the effects of alcohol. The result is an intensified state of intoxication.

Environment and mood

Many factors including the lighting, décor, music, and seating pattern may affect a guest's behaviour and consumption of alcohol. The surroundings, including interaction with other guests, may trigger emotional responses. Alcohol usually exaggerates moods. A person who is depressed or upset will likely become more depressed and upset when drinking.

Fatigue and stress

Physical, mental or emotional fatigue and stress make a person more susceptible to the effects of alcohol.

Tolerance to alcohol

Experienced drinkers develop tolerance to alcohol. After prolonged regular drinking, the liver develops an ability to break down alcohol more rapidly, and brain cells may become less sensitive to alcohol. For a person who has developed a high tolerance to alcohol, it takes higher quantities of alcohol to show signs of visible intoxication. This has implications for responsible service because the person may not demonstrate typical signs of intoxication early on. This often results in an underestimation of intoxication because of alcohol's invisible impact.

Common myths about alcohol

There are many myths regarding alcohol and alcohol consumption. Knowing the truth may help you understand customer behaviour.

Myth 1: Alcohol makes you happy

Alcohol is actually a depressant. When a person consumes moderate amounts of alcohol slowly, the alcohol produces a mild "up" feeling—or a "good buzz." This "up" feeling is followed by a "down" feeling if you drink too much. There is a point when drinking more alcohol leads to more negative feelings—like fatigue and nausea. How you will feel also depends on your mood when you start drinking. If you are sad or angry before you drink, the alcohol may initially put you in a better mood. But then the opposite can occur, and you may well end up even sadder or angrier than you were before you started.

Myth 2: Mixing drinks causes higher levels of intoxication

Mixing drinks does not cause greater intoxication. It does increase your chances of a hangover, though, and may make you feel sick.

Myth 3: Alcohol warms the body

The opposite is true. Alcohol opens up the pores of the skin, allowing perspiration to increase, which lowers body temperature and cools the body.

Myth 4: Alcohol relieves stress

Alcohol may seem to relieve stress in the short term; however, it does not treat the underlying cause of stress. Indeed, the use of alcohol can lead to increased anxiety, which in turn may lead to the use of alcohol as self-medication and potential alcohol dependency.

Myth 5: Alcohol improves coordination

Some people will try to tell you they are better at darts after a few drinks. In fact, the motor functions that control coordination are affected by alcohol immediately.

Myth 6: Alcohol helps you sleep

Alcohol can help you fall asleep, but once alcohol levels are reduced by the passage of time, normal sleeping patterns are disrupted. This is why heavy drinkers feel tired in the morning. Alcohol can also cause insomnia and aggravate existing sleep problems.

Myth 7: Drinking coffee will sober you up

There is only one way to sober up: time. Cold showers, drinking coffee and dancing will not sober an intoxicated person up faster.

Has your customer had too much to drink?

Because determining whether a patron is intoxicated can be difficult, it is important to make an initial assessment of guests as they enter your establishment or when they are first seated. A subsequent change in behaviour, or abnormal behaviour to begin with, is an indicator of the effects of alcohol consumption.

Watching for signs of intoxication requires you to be generally observant. As a service professional you should be closely watching your section anyway, so you can anticipate your patrons' needs and be readily available should they require service. In order to do that you should be in your section whenever possible.

Second, look for changes in behaviour. Has a quiet person suddenly become the life of the party at the bar? Is a regular customer who is normally good-natured becoming edgy or mean-spirited? Does a customer smell of cannabis? These are signs that something is going on. Start paying close attention now. Talk to coworkers or your supervisor and get a second opinion if you are not sure about a guest's behaviour. If you begin to notice signs of intoxication, you can adjust your service before the guest becomes intoxicated.

Tips to help identify signs of intoxication

These are tips, not an exhaustive list. Discuss signs of intoxication with other staff at your establishment. Point out signs of intoxication to each other, or check with more experienced staff if you think you see some signs but are unsure.

One problem is that by the time changes in behaviour are obvious, the patron may already be intoxicated. Your objective is to be able to spot the subtle changes in your customers as they drink, so you can identify when they have had enough before they are intoxicated.

Changes in speech

Pay attention to how your guests speak to you and interact with others, noting any changes in the pace, volume or pitch of their speech. Some guests may become quieter, even hard to hear, as they consume alcohol, while others repeat themselves, ramble, yell or talk a mile a minute. Still others talk very slowly. Slurred or mumbled speech is a warning sign. Single words or entire sentences may be incomprehensible.

Changes in appearance

Excessive perspiration, especially if the room is properly air-conditioned, can be a sign of intoxication. Similarly, a decrease in alertness is a warning sign. Watch for bloodshot or glassy eyes, bearing in mind that fatigue or allergies can cause similar symptoms. If you have difficulty getting a patron's attention, or if the guest can't make eye contact and address you in a reasonable way, you should consider the possibility of intoxication. Also consider changes related to cannabis consumption. A patron is more likely to become intoxicated when consuming alcohol if they have already consumed cannabis. If a patron smells of cannabis as they enter the establishment, you should consider the possibility of intoxication.

Changes in mood

When a previously pleasant guest becomes sullen or verbally abusive, or when a quiet guest starts chatting excitedly with anyone willing to listen, you have a change in mood worth noting. The key here is the change, and often it occurs as if someone flipped a switch.

Changes in physical coordination

The consumption of alcohol will inevitably affect a person's ability to execute physical tasks, even those involving basic hand-eye coordination. These can be as simple as struggling to take ID or a credit card out of one's wallet, fumbling with pocket change or missing the drinking straw in a glass, or they can be as severe as bumping into furniture when going to the restroom, careening down hallways, struggling with doors or stumbling on staircases. Remember: some people have difficulty walking due to a physical handicap or other impediment, so don't jump to conclusions. But if the patron could move around normally when he or she arrived but now can't walk a straight line, that's a change possibly due to intoxication.

Loss of inhibition

Watch for instances where guests start out reserved but are soon crossing social boundaries. They may exhibit overly friendly behaviour, hugging relative strangers at the bar and insisting that everyone is their new best friend. Keep your eye on guests like this to ensure no one tries to take advantage of them.

Impaired judgment

When guests do things that are out of character or completely inappropriate, it may be due to impaired judgment. For example, they forget where they were sitting or where they put their drink. They accelerate their consumption of alcohol by ordering larger portion sizes or drinks designed to be consumed quickly (i.e. shooters). There is also the problematic area of risk-taking. While, of course, you always have a duty to protect guests from injuring themselves or others, your warning bell should ring whenever you see patrons indulging in reckless behaviour, like consuming a drink quickly while friends chant and cheer, or trying to perform a physical stunt they saw on the Internet.

Disruptive behaviour

A guest who starts yelling, swearing, arguing or indulging in lewd talk can create an uncomfortable environment for staff and patrons alike. Remind such guests that they are not at home alone and there is an expectation that they will not disturb others. Talk to them in a low tone and ask them to lower their voice as well. Be friendly and hospitable but firm. If the disruptive behaviour does not cease, then get your supervisor to talk to them. You should certainly consider cutting off alcohol service in this situation.

The effects of alcohol in combination with other drugs

The presence of alcohol in conjunction with other drugs often intensifies effects. This is particularly the case when alcohol is joined with other depressants, due to their common capacity to slow down a person's central nervous system. The impact can go beyond just making the person less coordinated or drowsier. Heart and breathing rate can sometimes become reduced to such an extent that the individual falls into a coma and these crucial functions stop.

Drugs, such as cannabis, and prescription medicines, such as cough syrups, can increase intoxication levels significantly, making people appear more intoxicated than they should for the amount of alcohol consumed. Driving after combining alcohol with other drugs can substantially increase the risk of a motor vehicle accident. In addition, the risk of accidental injury—

such as falls among the elderly, or overdose—is greatly increased when some types of drugs are used in combination with alcohol.

Given a number of variables, including the user's overall physical condition and the concentration of what was ingested, alcohol interactions with other drugs can bring about quite unpredictable effects. Servers need to apply careful vigilance, observing patrons not just for intoxication but also for a real exaggeration of initial and more protracted symptoms normally associated with alcohol intake: euphoria instead of just relaxation and giddiness, worse dizziness, slow reflexes, slurred speech, blurred vision, disorientation, impairments in perception, coordination and motor skills or extreme drowsiness. Mixing alcohol and other drugs is a dangerous practice that can produce tragic consequences. Have emergency numbers (including the BC Poison Control Centre) in a place where all staff has quick access in case you need to call for help.

Examples of possible indicators of combined alcohol and other drug use

SYMPTOMS	POSSIBLE INTERACTION INVOLVED
Intensified sedation, excessive dizziness (especially older people)	Alcohol and antihistamines (cold and allergy medications)
Intensified sedation Significantly slowed breathing Cold bluish skin Loss of consciousness	Alcohol and narcotic pain relievers or heroin
Severe drowsiness Depressed or even arrested cardiac & respiratory functions	Alcohol and sedatives or hypnotics (tranquillizers, sleeping pills)

SYMPTOMS	POSSIBLE INTERACTION INVOLVED
Intensified impairment in concentration, perception, reaction and control	Alcohol and cannabis
Intensified euphoria Sudden heart, respiratory failure	Alcohol and cocaine
Reduced feeling of intoxication resulting in overconsumption (binge drinking) Reduced drowsiness due to caffeine acting as a stimulant (wide awake and drunk) More at risk for dangerous behaviours	Alcohol and energy drinks

The effects of alcohol and cannabis

Research shows that cannabis on its own:

- Slows reaction time;
- Lowers ability to pay attention;
- Decreases short-term memory;
- Impairs perception, coordination; and motor skills;
- Increases the likelihood of being involved in a motor vehicle accident.

However, the co-use of alcohol and cannabis is a particularly important issue. While the effects of cannabis vary widely from person to person, in general, the co-use of alcohol and cannabis can produce a more “intensified” intoxication compared to either one alone. This can make a person seem more intoxicated than expected for a given number of drinks.

Mistaking a medical condition or disability for intoxication

Occasionally patrons may exhibit what seem like signs of intoxication but are actually symptoms of a medical condition. Such symptoms may be very similar to that of intoxication and an initial assessment is important to determine whether the guest has a medical condition or is in fact intoxicated.

Asking guests whether they feel ill and checking for medical alert bracelets can help you determine whether someone is ill or has a medical condition. Medical conditions that may produce symptoms that mimic intoxication include diabetes, hypoglycemia, epilepsy and Alzheimer’s. Discontinuing service and helping the guest to receive medical attention can be life-saving in some instances.

Patrons with physical and mental disabilities can also exhibit symptoms that may be confused with alcohol intoxication. Examples of such disabilities include: cerebral palsy, visual impairments, speech

impediments, acquired brain injuries, and mobility impairments.

It is important to be aware and sensitive to patrons and take care that you or your staff do not inadvertently discriminate against guests whose medical conditions or disabilities make it seem as if they are intoxicated.

Drinking and driving

Impairment and blood alcohol concentration

In the first part of this section you learned about intoxication, which is identified by observing a person's mental and physical state.

Like intoxication, **impairment** can be an observed state; however, it can also be measured. In BC, the BC Motor Vehicle Act recognizes that impairment begins when a person has a **blood alcohol concentration (BAC)** at or exceeding 50 milligrams of alcohol per 100 millilitres of blood, or .05%. The Criminal Code fail level for impairment is when a person's BAC is over .08%. This appears to be a small amount—about one drop of alcohol in 1,200 drops of blood. However, the effects of even a fraction of 1% alcohol content in the bloodstream are potent. Consider that:

- a BAC of .30% can cause a person to lose consciousness.
- with a BAC of .40%, a person will be in a coma or could die.

Measuring BAC

The only way of accurately measuring BAC is to use an **Approved Screening Device (ASD)** (such as the **Breathalyzer**) or conduct a blood test. A customer's

BAC will depend on factors including sex, weight, the number of drinks he or she has consumed and the number of hours since the first drink (see Appendix E for a chart on How to Calculate BAC).

A practical technique for you to estimate a customer's BAC is to observe how many standard drinks (defined as a drink containing the equivalent of 0.6 ounces of 100% alcohol) are served and consumed by the customer while at your premises.

Measuring THC

THC (Tetrahydrocannabinol) is the active ingredient in cannabis. The only way of accurately measuring THC is conducting a blood test for the amount of THC in the blood measured in ng (nanograms).

Unlike approved screening devices for alcohol, there is no universally accepted

roadside test for impairment due to cannabis. However, there are ongoing developments in the use of new technologies and roadside testing devices for cannabis including fluid screening tests. Nevertheless, since commercial establishments will not be allowed to sell or permit the consumption of cannabis on their premises, observation will be key. While the smell of cannabis is undoubtedly a sign to vigilantly observe a particular patron's drinking patterns, it is important to note that cannabis can be consumed in forms that don't have a particular smell such as in the form of edibles.

The standard drink

A **standard drink (SD)** is a unit that is used to quantify alcohol intake. A standard drink varies from country to country. In Canada, a standard drink is any drink that contains 13.6 grams of pure alcohol or the equivalent of 0.6 ounces of 100% alcohol.

Different alcoholic beverages have different concentrations of alcohol. For example, most beers contain 5% alcohol; wines contain 12 to 13% alcohol; and spirits can contain 40% alcohol or more. In addition, different shapes and sizes of containers will contain different volume of alcoholic drinks.

One standard drink is approximately:

- One 12-ounce can of beer, containing 5% alcohol
($12 \times 0.05 = 0.60 = 1 \text{ SD}$)
- One 5-ounce glass of wine, containing 12% alcohol
($5 \times 0.12 = 0.60 = 1 \text{ SD}$)
- One and a half-ounce hard liquor or spirits, containing 40% alcohol
($1.5 \times 0.40 = 0.60 = 1 \text{ SD}$)

This means that a 12-ounce glass of beer with 5% alcohol, a 5-ounce glass of wine with 12% alcohol and a 1.5-ounce of spirits with 40% alcohol are all considered standard drinks. Note that each drink has different alcohol concentration and is available in different volumes. However, each of these is called a standard drink because it has the same effect on the human body as 0.6 ounces of 100% alcohol.

The size of a drink matters because the amount of alcohol in beverages can differ. Therefore, to calculate a standard drink, you need to know:

- The volume of alcoholic beverage
- The percentage (concentration) of alcohol in that beverage

Larger volumes or higher concentrations will increase the number of standard drinks consumed; smaller

volumes or lower concentrations will decrease the number of standard drinks consumed.

Depending on what type of drink your patrons are drinking, they may be drinking less than or more than a standard drink. For example, with the introduction of low-alcohol beer and wine, a normal serving will be less than a standard drink, because the beverage has lower alcohol content. A five-ounce glass of 12% alcohol wine is equal to one SD ($5 \times 0.12 = 0.60 = 1 \text{ SD}$). Therefore, a glass of light wine at 9% alcohol volume would be less than one SD ($5 \times 0.09 = 0.45$ which is less than 1 SD). Similarly, light beers generally contain 4% alcohol, which is less than one SD.

There are also higher alcohol versions of beer and wine. Malt beer and ciders often contain 7% alcohol. Some full-bodied red and fortified wines can range from 14.5% to 21% alcohol levels. These higher alcohol versions should be served at a slower rate, as they are more potent.

Spirits in mixed drinks can be sold in 1, 1¼ or 1½-ounce shots. Again, the alcohol volume will affect the standard drink calculation.

It is important to understand the standard drink and its equivalencies because it allows you to monitor your patrons' intake. The liver can only process a fixed amount of alcohol, about one standard drink per hour. By determining the number of standard drinks consumed by a customer over time, and consulting the chart on How to Calculate BAC (see Appendix E), you will be able to monitor the consumption of your customers to help ensure that they do not leave your premises and drive while impaired.

Calculating the standard drink

The following is a basic SD comparison. All of these drinks have the same effect on the body and are equivalent to one SD.



12 ounces beer
with 5% alcohol volume
= 12×0.05
= 0.6 ounces alcohol =
1 SD



1 ½ ounces spirits with
40% alcohol volume =
 1.5×0.40
= 0.6 ounces alcohol =
1 SD



5 ounces wine
with 12% alcohol volume
= 5×0.12
= 0.6 ounces alcohol
= 1 SD

Impaired driving

Driving with too much alcohol in your system is illegal. A person can be legally unfit to drive either because his or her BAC is at or above .05% or because his or her ability to drive is impaired by the use of alcohol, drugs or other factors.

Many law enforcement agencies use breath alcohol testing devices to determine a person's BAC. In the absence of admissible evidence of BAC, the prosecution in a drunk-driving case may rely on the observations of a police officer or a layperson as to the accused person's impairment. Such evidence may include erratic driving and physical and behavioural indicators like slurred speech, bloodshot eyes and difficulty walking a straight line.

Thus, a person can be guilty of impaired driving even though their BAC is below .05%. Similarly, a person is guilty of impaired driving with a BAC at or above .05% (or subject to administrative penalties for driving with a BAC at or above .05%), whether or not their ability to operate the vehicle is visibly affected by alcohol consumption.

The law recognizes impairment due to a combination of drugs and alcohol. So, driving with too much alcohol in conjunction with cannabis in your system is illegal.

In response to the legalization of non-medical cannabis, the federal and BC governments proposed new laws and regulations to specifically address the increased risk of impaired driving with co-use of alcohol and

cannabis. A person is legally unfit to drive when their BAC is or exceeds .05% combined with 2.5 ng or more of THC per 1 millilitre of blood. Again, as with BAC, while this may seem like a small amount, consider that impairment by alcohol in conjunction with cannabis significantly increases the risk of a motor vehicle accident compared to either one alone.

Penalties for impaired driving

Any person who is found to be driving with a BAC at or above .05% can face penalties including immediate prohibition from driving, vehicle impoundment and monetary fines. Similarly, any person who is found to be driving with a BAC at or above .05% combined with 2.5 ng or more of THC per 1 millilitre of blood can face criminal penalties, including fines or imprisonment.

The Criminal Code of Canada also creates several types of criminal offences for driving after having consumed too much alcohol. These include:

- Operating a motor vehicle while the driver's ability to do so is impaired by alcohol;
- Operating a motor vehicle with a BAC in excess of .08%;
- Impaired driving causing death or bodily harm.

Being convicted of any of these offences will result in a criminal record, lengthy driving prohibitions, fines, or imprisonment.

For more details on drinking and driving penalties, go to:

- www2.gov.bc.ca/gov/content/transportation/driving-and-cycling/road-safety-rules-and-consequences/drug-alcohol
- www.justice.gc.ca/eng/csjsj/pl/sidl-rlcfa/qa-qr.html

How to use this knowledge on the job

The key to responsible alcohol service is to know when to discontinue service. Knowing how many standard drinks have been consumed by your patrons can help you slow down service and ensure responsible beverage service.

This is especially important considering there is no "standard drink" dosage as easily observable with cannabis, since cannabis can be consumed in multiple legal forms including dried and oil products. You should therefore be mindful of standard drinks in relation to observations of cannabis use. To become intoxicated, a patron who has consumed cannabis may not be able to consume as many standard drinks, as a patron who did not consume cannabis.

By law, no one in BC is allowed to sell or serve alcohol to a person who is intoxicated or apparently intoxicated. The term “apparently intoxicated” places a great deal of responsibility on you to judge when a person is approaching intoxication or is already intoxicated. This includes taking into account cannabis consumption in conjunction with alcohol consumption.

Assess guests as they enter your establishment. Are they already showing signs of intoxication or smelling of cannabis? What factors (like their sex, weight, or age) might affect their impairment level? Try to determine ahead of time approximately how many drinks to serve to individual customers before discontinuing service.

Case studies

Using the information learned in section 2, determine whether the guests in the following situations are intoxicated or sober, and indicate the behaviour that supports your answer.

Situation 1

Two women are seated in a restaurant. It is approximately 10:00 pm, and the restaurant has only a few guests remaining. An almost empty bottle of wine is sitting on the table. The two ladies are engaged in an animated discussion and are speaking loudly and laughing hysterically.



One woman is pouring out the last of the wine. It spills all over the table. They laugh and accuse each other of spilling the wine. A busboy arrives to clean the spill, and one lady addresses the busboy, “Oh, I’m sorry, darlin’. You know, most of this was really, really good, and it’s all her fault. Just have our server bring another bottle.”

Sober: _____ Intoxicated: _____

Reasons: _____

Situation 2

Two friends are seated at a sports bar, watching a playoff hockey game. They are excited. One says to the other, "I can't believe the Canucks can't score on a two-man advantage." The bartender notices an empty pitcher of beer in front of them and asks, "You guys need another pitcher?" The other friend answers, "No, we'll just have another glass each and another plate of wings when you get a sec." The bartender orders wings and brings over a couple of glasses of beer.



Sober: _____ Intoxicated: _____

Reasons: _____

Questions to ask at work

- Are there myths about alcohol that are still treated as truths in our establishment?
- Are we aware of the alcohol levels of all the drinks we serve?
- Do we look for signs of intoxication in guests prior to serving alcohol?
- Can we recognize behaviour that is drug related?

Key term definitions

Intoxication is an observed state of diminished physical or mental faculties as a result of consuming alcohol.

Impairment is the condition of diminished physical or mental faculties as a result of consuming alcohol and/or drugs and is legally defined for the purposes of operating a motor vehicle. Objective evidence of impairment of an accused driver comes mainly from the observations of law enforcement officers.

Blood alcohol concentration (BAC) is the amount of alcohol in the bloodstream, measured in milligrams percent or mg%.

THC (Tetrahydrocannabinol) is the active ingredient in cannabis, measured in nanograms (ng) per milliliter in the bloodstream.

A **standard drink (SD)** is a drink containing the equivalent of 0.6 ounces of 100% alcohol.

An **Approved Screening Device (ASD)** is a breath alcohol testing device that provides an accurate scientific measurement of BAC levels in the human body. Many law enforcement agencies use these devices to determine a person's BAC.

Quick review

Identify if the sentence is True or False. Check your answers in Appendix A.

1. The liver can only process a fixed amount of alcohol, which is about one standard drink per hour.
2. Mixing drinks (for example, having both beer and wine) causes greater intoxication.
3. Sex, body weight and food consumption all influence how quickly alcohol affects a patron.
4. Combining drugs with alcohol reduces the effects.
5. The only accurate way to measure BAC is to count standard drinks.

By the end of Section 2 you should know:

- How to recognize intoxication and the over-consumption of alcohol
- The effects of alcohol on the body
- The effects of alcohol in combination with drugs, particularly cannabis
- What is blood alcohol concentration and a standard drink
- How to calculate blood alcohol concentration through standard drinks and equivalents



3 — Alcohol and the law

Objectives for section

In this section you will learn:

- Your obligations under the law related to the sale and service of alcohol
- The consequences of failure to meet those obligations
- How to minimize your legal risk

Check your knowledge

Select the best answer for each question. Check your answers in Appendix A.

1. The main legislation that regulates the sale and service of alcohol in BC is called:
 - a) the BC Alcohol Licensing Act
 - b) the BC Liquor Control and Licensing Act
 - c) the Canadian Liquor Control and Licensing Act
 - d) the Liquor and Gambling Control Act
2. If, upon inspection, the police find that an establishment is not following the legislation for the sales and service of alcohol, they may:
 - a) send all the staff home
 - b) report any violation to the Liquor and Cannabis Regulation Branch
 - c) fine the establishment
 - d) cancel an establishment's licence
 - e) a & b
3. Servers and licensees have an obligation to make sure an intoxicated patron:
 - a) is not allowed to drink any more alcohol
 - b) does not cause harm to himself, herself or to third parties
 - c) has a safe ride home
 - d) all of the above
4. Licensees should look out for:
 - a) how many drinks a patron has
 - b) the scent of cannabis on a patron
 - c) slurred speech
 - d) all of the above

Did you know?

- According to ICBC, more than four million Canadians admit to having driven after drinking. Each year, about 12.5 million trips are made by people who thought they'd had too much to drink.
- Approximately 35% of fatal vehicle crashes involve alcohol.
- The percentage of Canadian drivers killed in vehicle crashes who test positive for drugs (40%) now actually exceeds the numbers who test positive for alcohol.
- Among those who have driven while impaired, 4 in 10 downplayed the risks by either indicating that driving while under the influence of cannabis is less dangerous than driving while under the influence of alcohol (25%) or that driving while under the influence of cannabis poses no real risk (17%).
- Courts in British Columbia have assigned up to 50% of the blame to establishments that allow intoxicated patrons to drink and drive and then cause injury or death to other citizens.
- When intoxicated patrons injure themselves due to hazardous conditions or activities on the licensee's premises, courts in BC have assigned up to 75% of the blame to the establishment.

The law and alcohol

There is a large body of law regulating the sale and service of alcohol in **licensed establishments** and the duties owed by **licensees** and their employees to patrons and members of the public. It is the duty of licensees and servers to be aware of their rights and responsibilities and to conduct their business activities accordingly.



The Liquor Control and Licensing Act

British Columbia's **Liquor Control and Licensing Act** is the most important legislation governing the sale and service of alcohol in licensed establishments. The Act, which is designed to maintain the orderly and responsible operation of licensed establishments, deals with:

- Requirements for obtaining a licence, permit, or authorization
- Application processes and the role of local government
- Operating terms and conditions such as training requirements, advertising requirements and marketing and promotional restrictions
- Inspections and enforcement of establishments and event sites

Most importantly, it requires licensees and servers to control the activities that take place in their establishments, including the responsible sale and service of alcohol.

The Liquor Control and Licensing Act is supported by the Liquor Control and Licensing Regulation. The general manager of the **Liquor and Cannabis Regulation Branch** administers the Act and the Regulation, both of which make it clear that those who serve alcohol in a licensed establishment have specific responsibilities.

Your responsibilities under the Act Licensees must meet all applicable requirements of the Act and Regulation, as well as terms and conditions of their licence which are periodically updated. Changes

to the Act and Regulation, and terms and conditions of licences, are available on the Liquor and Cannabis Regulation Branch website (see Appendix C). It is the duty of all licensees to routinely familiarize themselves and their servers with the most recent modifications.

The summaries below identify the key rights and responsibilities under the Act and Regulation, as they relate to alcohol service. They also outline some tips that will help you responsibly control alcohol service in your establishment.

Licensees and managers should refer to the Act and the relevant liquor licensee handbooks for their full range of legal obligations, which cover virtually all aspects of the establishment's operations, from pricing and advertising to purchasing and entertainment.

The sale and service of liquor

Time

Key points:

- You may only serve liquor during the hours listed on the licence or authorization.
- You must ensure that all patrons leave your liquor-primary establishment (bars) within thirty minutes of completing the liquor service, and you may not allow patrons to enter outside of the permitted hours for liquor service.
- You must remove liquor, drinks and glassware in food primary establishments or at catered events within thirty minutes of the end of liquor service.

Tips:

- Let patrons know these time requirements by signal or announcement.
- Remind patrons of their limited time frame for consuming liquor and/or leaving the premises after the end of liquor service.
- Offer to seal an unfinished bottle of wine for take-away by customers unable to complete it within the time frame allowed.
- Do not sell large quantities to patrons at last call.

Dispensing liquor**Key points:**

- You are permitted to pre-mix drinks by hand or by using such a device as a Bellini machine provided the liquor comes from the original containers purchased from the Liquor Distribution Branch.
- You cannot refill original containers purchased from the Liquor Distribution Branch with anything.

Tip:

- Learn correct measurements.

Consumption of liquor**Key points:**

- Licensees and employees must not consume liquor while working at a licensed establishment or catered event.
- You must ensure that only liquor purchased in your liquor-primary or food-primary

establishment or catered event is consumed there. The only exception is 'Bring Your Own Wine' in food primary establishments, for which the restaurant may charge a corkage fee. Liquor must not be consumed within a licensee retail store.

- Catering staff must be present at a catered event when liquor is consumed (no liquor drop-off is permitted).

Tips:

- Observe patrons and watch for signs of illegal drinks.
- Do not sell unopened bottles for consumption on food-primary and liquor-primary premises.
- Realize the importance of the employees' appearance and behaviour, as all staff members represent the business.

Public safety

Capacity**Key point:**

- You must not exceed the number of people stated on your establishment's liquor licence or catering authorization or occupant load for the venue.

Tips:

- Know the capacity your establishment is licensed for.
- Have door staff monitor the entry and exit of guests, preferably using mechanical counters.

Minors (anyone under the age of 19)

Key points:

- You may not sell or give liquor to minors and you must check your liquor licence as to whether minors are allowed to be on premises where liquor is sold. Minors may be allowed at catered events (will be noted on the catering authorization).
- If a licensee permits minors in a liquor primary (either with or without a parent or guardian), minors may be employed in the establishment during the hours minors are permitted as patrons; however, they may not be employed to sell or serve liquor. Minors can also be employed as entertainers.
- Minors employed in food-primary establishments, or liquor-primary stadiums who are 16 or older may serve liquor but may not open bottles, pour or mix liquor. You must have adult staff supervising minors serving liquor. Minors may work at a catered event but may not serve liquor (or have liquor in their possession).
- Two pieces of ID are required in BC for anyone who appears to be a minor.

Tip:

- Learn to maintain door control and how to check a person's ID to ensure it is valid and legitimate. See Section 4 for further information on checking ID.

Intoxicated people

Key points:

- You must not sell or give liquor to an intoxicated person.

- You must not allow a person to become intoxicated or allow an intoxicated person to remain in a licensed establishment.
- You must forbid entry to anyone who is intoxicated or who you think will cause trouble.
- You must not allow troublemakers to re-enter the establishment within 24 hours of being asked to leave.

Tips:

- Maintain adequate supervision and control.
- Constantly create a comfortable and safe environment.
- Work together as a team to spot problem situations and deal with them.
- Establish safe methods of refusing entry to problem patrons or ejecting them.
- Contact police when staff members encounter a difficult person or a dangerous situation.
- Ensure intoxicated patrons have a safe way home or to another place where they can sober up.
- Notify the manager or licensee when an incident occurs. Keep an accurate incident log, as it may be relied upon in a court case or insurance claim.
- Be vigilant for patrons who you suspect are consuming cannabis or might have consumed cannabis prior to entering the establishment. Ensure that they do not overdrink in relation to their cannabis use.

Enforcement of the Act

Monitoring performance through inspections

Local liquor inspectors conduct routine inspections of all licensed premises to make sure they comply with the Act and Regulation, and their licence terms and conditions. Licensees must ensure they and their employees take Serving It Right and keep records of the Serving It Right certificate number for each person, as well as the expiry date on the certificate, if applicable. Please be prepared to produce this information for inspection by a liquor inspector or police officer at all times.

In addition, local police departments regularly make unannounced visits to licensed establishments. The police look particularly for anything that may lead to a disturbance within the community or threaten public safety including noise, overcrowding, drunkenness and minors in possession of alcohol.

The officer will record any violation on a Licensed Premises Check (LPC) form, leave a copy with the licensee and send a copy to the Liquor and Cannabis Regulation Branch. The branch will follow up and may choose to take further enforcement action as a result of the LPC.

Possible penalties

The Liquor Control and Licensing Act and Regulation may be enforced through penalties imposed by the Liquor and Cannabis Regulation Branch. The Act authorizes the LCRB to impose terms and conditions on a licence, to suspend or cancel a licence where the licensee fails to comply with the requirements of the

Act or Regulation, or the terms and conditions of a licence, and to impose monetary penalties or licence suspensions.

Police agencies may enforce the Act through court prosecutions when police have evidence that the licensee or its employee has committed an offence under the Act.

The Human Rights Code

British Columbia's Human Rights Code also plays a key role in how licensees and staff conduct themselves in the performance of their duties. The code's intent is to protect against all forms of human discrimination (e.g. race, age, colour, ancestry, place of origin, religion, political belief, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or gender expression), thereby ensuring individual rights. You must respect these rights whenever you are making decisions to deny or permit access, to eject or to control patrons on your premises.

For example, although the Liquor Control and Licensing Act requires a licensee or employee to request an intoxicated person to leave, you must be careful not to eject a patron based on discriminatory grounds. If a group of people from a racial minority enter your establishment, it is legitimate to refuse service if any of the group appear unruly or intoxicated. The situation must be handled delicately, however, so that there is no misperception by these patrons that they are being discriminated against. There are examples where patrons have brought complaints to B.C.'s Human Rights Tribunal that they were ejected on discriminatory grounds.

Your legal duties

- Only serve or sell to patrons legally old enough to drink
Serve no one to the point of intoxication
- Refuse entry or service to intoxicated people
- Remove intoxicated people from the premises responsibly and safely
- Control the environment in the establishment
- Take reasonable steps so that if patrons become intoxicated, they do not pose a threat to other patrons or the public
- Take care to see that if patrons become intoxicated, they have a safe way home or to another place where they can sober up
- Call the police if an intoxicated patron insists on driving home

Legal liability

Duty of care

Apart from the statutory obligations and penalties discussed above, a licensee and its management and staff owe a “duty of care” to both patrons and innocent third parties. In the context of alcohol sales and service, this means that both the licensee and servers have a legal obligation to protect patrons and others from harm that can result from the activity of drinking, whether that harm occurs on or off the premises. This duty of care is imposed by the “law of negligence” and the British Columbia Occupiers Liability Act.

Lack of knowledge of a patron’s level of intoxication is not a defence. A licensee must conduct its business in a way that allows it to monitor its patrons’ consumption and behaviour so that the licensee knows when to suspend service and/or make arrangements to get an at-risk patron home safely. Given this, licensees need to be aware of the effect of cannabis use and watch for patrons

arriving at bars and restaurants already intoxicated by drugs like cannabis. To meet their duty of care, licensees must monitor not only alcohol consumption, but consumption of other intoxicants as well.

Generally speaking, the duty of care (responsibility and legal liability) ends only when the patron is put into the care of a sober and responsible person or arrives at their own home where they are able to sober up. When the duty is not met, an injured party may take legal action against the licensee, manager or server.

If an intoxicated patron drives away from the premises, the duty may continue until that patron reaches his or her own home. However, one recent court decision has suggested that, in certain cases, the duty can continue even after the guest arrives at home. In that case, the guest drove home and stayed there for “a few minutes” before getting back into his vehicle and causing a road accident. The court said that, the circumstances of the case, the guest’s arrival at home did not extinguish the establishment’s liability. This case reinforces the

importance of a server's duty to take steps to see that an intoxicated patron does not leave the premises without a safe way home.

This issue most often arises when a patron who over-consumes alcohol at a licensed establishment is subsequently involved in a motor-vehicle accident.

There have been many legal judgments that illustrate the wide-ranging duty of care that licensees are subject to. Actual case studies can also be found in Appendix F.

At least one case in Ontario already suggests that, commercial establishments should be watching their patrons for consumption of other potential intoxicants such as cannabis, inside and outside their premises.

Establishments must therefore be more vigilant in taking into account whether or not a patron has consumed cannabis and if so, whether they should be served or continue to be served. Establishments must watch for patrons who are not using alcohol, but appear to be intoxicated from cannabis, and take reasonable steps to ensure they do not leave the premises and operate a motor vehicle.

Responsibility on the premises

The first duty of the licensee and staff is to provide a safe environment for patrons and staff members alike. This involves control of the establishment's physical environment and ambience. There is an obligation to ensure that the physical layout and condition of the premises don't lead to injury to those who enter. This duty is imposed by the Occupiers Liability Act and applies to any premises (licensed or not) where people are permitted to enter. The law requires a licensed establishment to take special precautions to keep the premises reasonably safe for people who have been consuming alcohol.



The steps required to be taken by the licensee and its staff will depend on the activities carried out on the premises, as well as the general environment of the premises. Activities that may be safe on some premises may be unacceptably dangerous in an environment where alcohol is being consumed.

The duty under the Occupiers Liability Act also includes a duty to not let people on the premises who appear likely to do harm to others. The duty to intervene applies to the potential for violence, as well as the potential for injury due to the dangerous or negligent conduct of a patron. Although ejection may at times be necessary and appropriate, staff members must do this with care to avoid injury and potential liability for injury of a patron. Staff members may only use a reasonable degree of force in ejecting an unwanted patron. What is "reasonable" depends to a large degree on the particular circumstances arising in each case.

Responsibility off the premises

Apart from the duty of care owed to patrons while they are on the premises, a licensee and its staff owe a duty of care to patrons who are leaving the premises, as well as to the general public who may be affected by those patrons' conduct. Even though a patron may have left

the premises, the licensee's responsibility may not end until that patron gets home or to another place and is able to sober up.

The duty of care includes taking all reasonable steps to prevent harm that could result from alcohol being consumed on your premises. Although reasonable steps will vary depending on the circumstances, a licensee and its staff should take a hands-on approach when it appears that intoxicated patrons may be intending to drive. You should take comments or concerns raised by other patrons seriously, and follow up with intoxicated patrons who appear to be heading for a vehicle. If there is any doubt whether an intoxicated person has a safe ride home, do not hesitate to call a taxi and be sure to watch that person get into the taxi and leave the premises. Call the police if an intoxicated person insists on driving home.

Licensees and staff have a responsibility for both a patron's safety and the safety of others whom the patron may affect. When patrons or the public suffer as a result of what they believe is negligence on the part of a licensed establishment, they may sue.

Allocation of fault from court cases

In recent years, the courts have decided that those serving alcohol may be held responsible for some of the damage done by intoxicated patrons to themselves or to the public. Some of the decisions have led to very expensive financial settlements or judgments.

The percentage of fault attributed to a licensee varies widely depending on the circumstances. In the majority of the cases, blame apportioned to the licensee ranges

from 5% to 25%. However, the courts are becoming increasingly willing to apportion a higher degree of fault to licensees who do not meet their duty of care to patrons and the public. In 2006, the British Columbia Court of Appeal upheld a lower court decision that assigned 50% of the liability to a bar when an intoxicated patron drove from the premises and injured several pedestrians. For liability purposes, it does not matter whether the licensee or staff actually knew of the patron's state of intoxication. The licensee has an obligation to have systems in place to monitor alcohol consumption and behaviour.

Regarding allocation of fault, every licensee should know that even if only a small percentage of the total blame is assigned to the licensee, the licensee may still have to pay for all of the damages of someone injured by an intoxicated patron. This is because, under our law, if a plaintiff has suffered injuries caused by two or more people, and the plaintiff is not at all to blame for the injuries, then each of the people who caused the injuries is jointly responsible to pay all of the damages.

Consider this example: A patron is over-served and tries to drive home but hits and seriously injures a pedestrian. The court finds that the patron is 85% responsible, and the bar that over-served him is 15% responsible. The court also finds that the pedestrian did not do anything wrong. A judgment of \$1,000,000 is awarded. If the patron cannot pay his 85% share of the judgment, the bar will have to pay the shortfall.

A summary of relevant court cases can be found in Appendix F.

Duty of care test cases

Rate whether the following situations were handled effectively or not by the staff involved. Also, indicate which steps were effective in meeting the licensee's duty of care.

Situation 1

A gentleman, approximately 55 years old, is leaving a restaurant late at night and is obviously intoxicated. A valet who has noticed the intoxicated man stops and says, "Sir, I'm afraid I can't let you drive home this evening. Is there someone we can call to come and pick you up?" The man replies, "What do you mean you won't let me drive! It's my car. You're not my wife, not my boss, you are...you're a...aw, just get the damn car." The valet replies in a caring and calm fashion, "Listen, you're upset, and I can understand that, but I just want to make sure you get home safely."



The man, now very frustrated, says to the valet, "Jeez, I'll get the car myself. Give me the keys." The man reaches for the keys, but the valet stops him. "If you insist on driving home, I will have to call the police. It's not my choice, it's my job. It's what the law says. Now is there anyone we can call to pick you up?" The man yawns and answers, "Not this late." The valet replies, "I'll call you a cab. Your car and your keys will be here in the morning. Just call the manager." The man responds in a tired voice, "Sure, sure, whatever. Just don't mess with the stereo."

Effective: _____ Not effective: _____

Reasons: _____

Situation 2

A man is seated in a busy pub, speaking to a friend on his cell. "Hey, where are you? Well, when the hell are you going to get here?" He almost slips off his seat. "Half an hour! Aw, come on, man, you...hello?" He stops suddenly as his friend hangs up, and he says to himself, "Like my time isn't worth anything." The man then shouts, "Waitress!" A male server starts to walk to the man and is stopped by Cindy, a female server. "Wait, that guy is gonna be a problem. He's pretty drunk and he has knocked over a sign, he's bumping into chairs, and he's swearing. I mean, you name it." The man yells again, "Waitress!" The male server tells Cindy, "OK, I'm going to take care of this, but just tell Marsha what's going on." Cindy replies, "I'm on it."



The male server walks over to the man's table and greets him. "Hello, and how are you doing this evening? My name is Larry. I'll be your server for this evening." The man replies, "Hey, hey, hey, don't waste my time. Vodka, rocks." Larry politely responds, "Sir, I'm sorry. I can't serve you any alcohol this evening." The man throws the menu across the pub and in an angry voice says, "This is a joke right? Go get the drinks, now!" Everyone in the pub pauses and looks towards the confrontation. Larry continues, "Sir, it is illegal to serve you. If I do, I get fired. I know you don't want to hear this, but I can't serve you a drink."



The man stands up and yells in Larry's face, "You can't serve me a drink! You and who else can't serve me a drink! Ha! This is a bunch of bull****!" The man becomes violent and kicks over a chair and table, knocking over glasses that crash to the ground. Cindy hurries to help move the guests who are seated next to the man's table. Marsha, the manager, intervenes. "Sir, we've called the police and they are on the way, so just calm down." The man replies, "You've got to be kidding. Come on, you treat me like crap and then you call the cops?"

Effective: _____ Not effective: _____

Reasons: _____

Questions to ask at work

- Do we have a copy of the relevant Terms and Conditions Handbook (see p. 31) that we can refer to?
- Have we discussed the duty of care concept for our establishment and what we may need to watch for to ensure our customers are safe?
- How do we monitor the alcohol consumption and condition of patrons to avoid over-consumption?

Key term definitions

A **licensed establishment** is a business that is licensed under the Liquor Control and Licensing Act and Regulation to sell alcohol.

A **minor** is any person less than 19 years of age.

The **Liquor Control and Licensing Act and Regulation** deals with licensing requirements, fees, application processes, entertainment, inspections and law enforcement for licensed establishments. It is designed to maintain the orderly and responsible operation of licensed establishments.

The **Liquor and Cannabis Regulation Branch** administers the Liquor Control and Licensing Act and Regulation and the Cannabis Control and Licensing Act and Regulation with respect to retail operation of non-medical cannabis.

A **Licensed Premises Check (LPC) form** is completed by a police officer who finds a licensee not complying with the law. The officer will record the violation and send a copy to the Liquor and Cannabis Regulation Branch, which may investigate.

Duty of care, in the context of alcohol sales and service, means that the licensee and servers have a legal obligation to take all reasonable steps to protect patrons and the public from harm that may be associated with the activity of drinking.

Third party liability is the legal requirement of a licensee or staff member to pay damages to a patron or to a person who suffers injury, loss or damage, as a result of the actions of an intoxicated or violent patron. The payment of damages is the result of a court's decision that the licensee or staff member failed to take reasonable care towards the safety of the injured person.

Quick review

Identify if the sentence is True or False. Check your answers in Appendix A.

1. Licensees and employees can consume liquor while working, as long as it is not consumed in front of patrons.
2. Servers, managers and licensees may not sell or give liquor to an intoxicated person.
3. Duty of care requires that you take reasonable steps to prevent injury or damage from occurring to patrons or innocent third parties only during the hours that your establishment is open.
4. A liquor establishment is not responsible for the actions of an intoxicated patron if staff did not know the patron was intoxicated.
5. The licensee is always the one charged in a legal case involving injury to an intoxicated patron or innocent third party.

By the end of Section 3 you should know:

- Your obligations under the law related to the sale and service of alcohol
- The consequences of failure to meet those obligations
- Ways to minimize your legal risk



4 — Implementing responsible beverage service

Objectives for section

In this section you will learn:

- The three main components of an effective RBS program
- How to demonstrate a professional environment by:
 - Creating and implementing a house policy
 - Providing a pleasant service experience
 - Publicizing and marketing the RBS program
- How to implement coordinated teamwork by:
 - Helping your co-workers in an RBS program
 - Identifying and managing problem customers
 - Recording incidents and sharing information
- How to intervene and deal with difficult situations by:
 - Monitoring customer behaviour and slowing down service
 - Seeking assistance and discontinuing service
 - Ensuring that customers arrive home safely

Check your knowledge

Select the best answer for each question. Check your answers in Appendix A.

1. A house policy is:
 - a) a policy for managers on how to deal with intoxicated patrons
 - b) a set of policies for RBS procedures created by a licensee or manager for his or her individual establishment
 - c) a set of policies on RBS created by the government for licensees
 - d) a policy on how to get an intoxicated patron home
2. All of British Columbia's licensed establishments are required by law to ask anyone who appears to be under the age of 19 for:
 - a) one piece of ID with a photo
 - b) one piece of ID with a photo and signature
 - c) two pieces of ID, at least one with a photo
 - d) two pieces of ID, both with photos
3. Incidents with minors, intoxicated or problem patrons should be recorded in a logbook that:
 - a) is filled out and read by the manager only
 - b) includes relevant sales slips, if available
 - c) is kept for one month
 - d) is kept in a loose-leaf binder
 - e) all of the above

An effective RBS program

The goal of an RBS program like Serving It Right is to reduce alcohol-related problems. There are three main components that ensure an effective RBS program. These include a professional environment, coordinated teamwork and intervention strategies.

An effective RBS program involves the entire staff working together to create and enforce the establishment's house policies, including techniques to prevent service to underage and intoxicated patrons.

In this section, you will learn more about each of these components and your role in ensuring an effective RBS program.



Professional environment

The first component of an effective RBS program is a professional environment. A licensed establishment's ambience and the physical environment in which alcohol is served have a direct link to the rate of consumption of alcohol and the subsequent behaviour of customers. The environment of a licensed establishment sets behavioural expectations for its patrons. A professional environment can promote responsible consumption of alcohol and can make a difference in the types of behaviour that patrons think are acceptable.

Follow these steps to demonstrate a professional environment:

- 1. Create and implement a house policy**
- 2. Provide a pleasant service experience**
- 3. Publicize and market the RBS program**

Create and implement a house policy

The first step towards demonstrating a professional environment is creating and implementing a house policy. A house policy provides licensees, managers and staff with the procedures and practical tactics that can be used in different alcohol-service situations. The success of your efforts to promote responsible service depends largely on these written policies. A written policy is a serious document that should be read and discussed by staff. Written policies should be implemented and enforced by all personnel including licensees, managers and staff. A written policy can also help in understanding specific roles and responsibilities for ensuring responsible beverage service.

To develop a house policy, you need to assess the risks associated with the establishment and tailor the policy to the specific needs and circumstances of your establishment. It is important that the house policy accommodates the risk posed by the co-use of alcohol and drugs including non-medical cannabis, both inside and outside the premises. When developing a house policy, specific procedures are created that help ensure that everyone can satisfy their work duties. A good house policy includes instructions from management and input provided by staff and guests. Important topics in a house policy include ways to prevent underage drinking, intoxication and overcrowding.

Following are the top tips to implement a house policy:

Top 10 tips for effectively implementing house policy

1. Engage employees and valued customers in developing the house policy.
2. Introduce written policies to employees in a structured, positive environment. Organize a staff meeting to introduce the policies. Post notices about the meeting (date, time, place, etc.) on bulletin boards in advance, or include a notification in pay envelopes. If employees become aware of the policies at an orientation meeting, instead of through the grapevine, the new rules will be easier to accept and implement. Hold meetings during working hours and make attendance mandatory.
3. Brief the management team to ensure they are fully aware of all policies. Engage their support prior to introducing and explaining the policies to the general staff.
4. Have management and staff sign a statement indicating they have read and understood the policies.
5. Have copies of the BC Liquor Control and Licensing Act, Liquor Control and Licensing Regulation and relevant Licensee Handbook available for employees, and review these documents to underscore your own establishment's policies regarding the service of alcohol.
6. Ensure that staff understands the particular requirements for the specific class of liquor licence.

7. Set a date for implementing any new policies and stick to it.
8. Reinforce the house policy at regularly scheduled staff meetings. Reflect any changes or additions in the written house policy manual and share the updates with staff promptly and in an organized fashion.
9. Provide cross-training so staff can learn and understand the different roles in RBS. In addition, support your staff when they apply the house policy.
10. Make your customers aware of your policies by posting your policies where guests can read them.

In order to be effective, a house policy must be written, communicated to and understood by staff, and supported by management. Staff members must know and feel confident that the management will support their decision to deny service to an intoxicated customer or ask an unruly guest to leave.

Importance of a house policy

A house policy is one of the most powerful ways of ensuring responsible beverage service.

Effective enforcement of a house policy increases an establishment's potential for success and decreases the risk of legal action. The key to success is to take all reasonable precautions to care for your customers by maintaining control over activities in your premises.



Keep in mind what you learned in Section 3 about your legal duties in serving alcohol. It is only by proper and consistent implementation of the house policy that you ensure responsible beverage service and protect your establishment from unwanted lawsuits.

Guidelines for writing a house policy, a list of suggested topics and a sample house policy are contained in Appendix G.

Provide a pleasant service experience



Project a positive staff image



Prevent intoxication through customer service



Provide quality, good-value beverage alternatives



Actively promote and market food



Avoid over-service and reduce drink spiking

Provide a pleasant service experience

As the second step towards building a professional environment, an establishment must provide a pleasant service experience. Staff members are the strongest control point and the key to a good service experience, profitability and repeat business.

Responsible service is simply good customer service, and it results in happy guests returning to the establishment. Staff can help control the rate of service, monitor patron behaviour, sell profitable alternatives and create a friendly atmosphere by simply spending some time talking to customers.

Project a positive staff image

To ensure an effective RBS program, it is important that management and staff be trained in customer service and responsible service of alcohol. A visible and engaged shift supervisor or manager on the

floor shows customers that the establishment is well-controlled and well-run. Friendly, courteous, efficient, and knowledgeable staff members project a well-managed and responsible environment. Staff must project a positive image, genuine interest and patient understanding towards guests.

Prevent intoxication through customer service

One of the goals of responsible service is to prevent guests from becoming intoxicated. Keep in mind what you learned in Section 2 about how intoxication happens and its effects on the body. The role of staff is to focus on hospitality and protect the safety of everyone in the establishment.

Following are the top tips to create a pleasant environment for guests and help prevent intoxication:

Top 10 tips for creating a pleasant environment

1. Establish a dress code.
2. Foster a calm culture among staff and patrons.
3. Monitor the door in a friendly and courteous manner and use the opportunity to set the tone for expected behaviour inside the establishment.
4. Ensure that minors and intoxicated patrons are not allowed entry.
5. Prevent overcrowding and encourage a good gender ratio among patrons.
6. Always treat patrons in a professional and knowledgeable manner.
7. Encourage patrons to respect the establishment, other staff, other patrons and the community.
8. Refuse to accept inappropriate behaviour by patrons. Intervene early to avoid problem situations. In case of a conflict, act firmly but fairly.
9. Be respectful and allow patrons to withdraw from a conflict without losing face.
10. Create the right environment by ensuring adequate lighting and providing activities like games, contests and other entertainment that may be permissible under the licence.

Provide quality, good-value beverage alternatives

The pricing strategies that management and staff use to encourage moderation and non-alcoholic rounds are important. Customers often quietly balk at paying the same price for a non-alcoholic drink as for an alcoholic one. Offer a range of non-alcoholic beverages, soft drinks, juices, coffees, and teas at slightly reduced prices as an alternative to alcoholic beverages. Some establishments have had favourable results with patrons by having the house policy include no-charge soft drinks or free food for designated drivers.

B.C. has minimum drink prices for all establishments that serve liquor for consumption on the premises. The minimum drink prices are in place to prevent aggressive pricing strategies that may lead to intoxication, and are calculated based on a minimum price per ounce of alcohol sold.

Actively promote and market food

Management and staff should encourage patrons to consume foods and snacks that slow the pace and amount of drinking and reduce the rate of alcohol absorption into the bloodstream. As you learned in Section 2, food slows the absorption of alcohol. During service, ask customers whether they would like a light snack, and direct their attention to menu cards on the table. Food that is high in fat and/or protein is digested slowly and helps slow the movement of alcohol into the blood system. Food that is high in sugar or carbohydrates is less effective in this regard, and food that is salty may defeat the purpose by making guests thirsty and increasing their drink consumption.

Avoid over-service

Be aware of the amount of alcohol being served to customers and if required, talk to customers to determine how much alcohol has been consumed already. Look out for other intoxicants in addition to alcohol, particularly cannabis. This will include observing patrons through speech, behavior and smell. Always serve drinks in standard sizes and promote the service of one drink per customer. Avoid over-service by monitoring and limiting the number of standard drinks that patrons are permitted to drink. Take observed prior cannabis or other drug use into account in limiting the number of standard drinks. Monitor and refuse further service to patrons who appear impaired even if they have had little to drink. Ensure water is provided alongside alcoholic beverages, and promote non-alcoholic alternatives.

At times, certain drink options can lead to irresponsible drinking patterns. For example, guests may initiate drinking games that involve shots or shooters. **Binge drinking**, where guests consume too much alcohol in a short duration, can be dangerous and can lead to intoxication. As a part of responsible service, the house policy should include specific procedures to discourage binge drinking and overconsumption.

A licensed establishment may offer games of skill and hold other contests. However, the premise cannot offer or give liquor as a prize, and the games or contests cannot involve the consumption of liquor.

Reducing drink spiking

There is increasing concern about the dangers of drink spiking by patrons in licensed premises. Drink spiking happens when alcohol or illicit drugs are added to the drink without the knowledge of the person who will



be consuming it. Any drink can be spiked including soft drinks, juice, water, or alcohol. It is important to develop procedures in the house policy to reduce the likelihood of drink spiking occurring on the premises. Some best practices to prevent drink spiking include:

- Removing unattended glasses
- Serving drinks to guests who will be consuming them
- Declining requests from patrons to add extra alcohol to drinks served to their friends or other guests
- Noticing changes in behaviour of guests

The effects from drink spiking depend on the type and quantity of the additive. The effects may include poor coordination, loss of consciousness, poor balance, slurred speech, loss of control, etc.

Publicize and market the RBS program



Promote a designated driver program



Encourage the use of transit and taxis



Anticipate special occasions and large groups

Publicize and market the RBS Program

The final step towards demonstrating a professional environment is to publicize and market the RBS program. Menus, table tent cards and prominently displayed signage can be tactfully worded to alert patrons that your establishment does not serve to the point of intoxication and offers refreshment alternatives, such as non-alcoholic “breather rounds” or snacks.

The Liquor and Cannabis Regulation Branch website provides links to downloadable posters that can be printed and displayed at appropriate locations in the establishment to support staff that refuse service. These displays can help to create greater customer awareness of moderate drinking and your legal obligations to provide responsible beverage service. In addition, a visible and written show of policy will help staff with enforcement; it acts as a reference point in the event of a question or misunderstanding between staff and patrons.



Promote a designated driver program

A designated driver program is a critical component of an RBS program. A designated driver program promotes customer safety and minimizes the risk of a liability suit. Promoting a designated driver program is also a good way to bring attention to the RBS program. Designated driver program tactics should have drivers register upon entry, and receive a button or discreet ID (which can be returned at the end of the night) so that servers can identify them. Patrons often feel embarrassed to be publicly labelled as a non-drinker.

In a survey conducted by ICBC in November 2011, 84% of respondents noted that in the last six months when they had been out in a bar or restaurant, they had never been asked by a server if there was a designated driver in the group. It is important that the servers acknowledge the designated driver as a responsible person who is helping their friends and the public at large by volunteering to be the driver.

It is a good strategy to offer free food to the driver so that the drinkers in the group are encouraged to order food at the same time. This approach will increase your food sales and decrease the likelihood that anyone will be drinking on an empty stomach. Some establishments may also offer unlimited, free non-alcoholic drinks or discounted food items to the designated driver.

You could publicize your designated driver programs in the media. The message to the public is that you are a progressive corporate citizen because you care about your patrons. Having a designated driver program portrays your establishment as more desirable than those without a program.

Encourage the use of transit and

taxis As a step towards publicizing responsible beverage service, establishments must encourage the use of public transport options such as transit and taxis. Late-night transit service is available in selected areas of the province until the early hours of the morning. Keeping a few transit tickets on the premises to give to intoxicated guests could be handy.

Taxi service is available virtually everywhere in the province. The owner of a licensed establishment may want to consider having a direct line and a house account and/or vouchers with a taxi company.

The Get Home Safe Program offered by BC Liquor stores provides free transit tickets for patrons of charitable fundraising events that are accessible by transit.

Anticipate special occasions and large groups

There are additional options for getting patrons home safely over the Christmas holiday season and for special events attracting large numbers of people. To market the RBS program, share details about programs that can drive guests and cars home.

There are different programs in several BC communities that will drive a guest and car home. The cost is slightly more than regular taxi fare but these are extremely safe options.

Special Event Permit Kit

ICBC and police across the province are encouraging drivers to be responsible. Almost half of impaired driving-related deaths happen in the summer in BC (June to September) and overall it remains one of the top three contributing factors for fatal crashes in BC.

If you are hosting an event involving alcohol, order the ICBC Special Event Permit Kit to remind your guests to get home safely. The kit includes materials to help you prevent alcohol-related incidents at your event and encourages people to use a designated driver or other safe options to get home safely.

To obtain the ICBC Special Event Permit Kit free of charge, go to:

www.icbc.com/road-safety/crashes-happen/impaired-driving/Pages/special-event-permit-kit.aspx



Coordinated teamwork

In the previous section, you identified the strategies to implement a professional environment. The next component of an effective RBS program is coordinated teamwork. Working as a team is essential to implementing a house policy and ensuring an effective RBS program.

Follow these steps to support each other in implementing coordinated teamwork:

1. **Help your co-workers in an RBS program**
2. **Identify and manage problem customers**
3. **Record incidents and share information**

Help your co-workers in an RBS program



Practice door control



Greet and assess customers



Check identification



Monitor customer conduct

Help your co-workers in an RBS program

To implement an RBS program successfully, you need to work together as a team where everyone understands their role and responsibilities. It is important for team members to trust, cooperate with and respect each

other. It is equally critical to share information clearly and openly. Team members should support each other by listening, being informed, asking questions, watching, sharing information and providing help when needed.

Use the following strategies to support your co-workers in an RBS program:

Practice door control

The purpose of door control is to prevent entry by minors and intoxicated patrons. Having a staff member at the door or otherwise monitoring guests that are arriving also prevents overcrowding. A visible control and entry point can be used effectively to send a message: "This establishment cares who its patrons are and what they do." An establishment will be easier to control with the fewest possible points of entry. Limit access to one door, if practical. Assign dedicated door staff to control the entry and exit of guests. If multiple entry points are provided, all points must have equal degrees of security and vigilance.

Be aware of any major public events that may be happening in your area. Be attentive to outdoor areas nearby where people may be consuming cannabis and nearby cannabis stores. Watch for patrons arriving at your establishment already impaired by cannabis. Have adequate staff on hand to accommodate any unusual or excessive business volume. Consider public safety issues when practicing door control. It will help to have a policy requiring identification from anyone who appears to be less than 19 years of age. Post a notice at the door to this effect and strictly enforce it.

Greet and assess customers

An initial greeting and assessment is important. Talk to your guests and assess them as they enter the establishment. What factors (like their sex, weight, or age) might affect their impairment level? Try to determine ahead of time approximately how many drinks to serve to individual customers before discontinuing service. While building a rapport with your customers you may also be able to determine other factors, such as:



- Are they driving?
- Were they drinking or consuming cannabis prior to arriving in your establishment?
- Are they celebrating an event?
- What type of mood are they in?
- Do they have an alternative transportation plan?

Always be polite and friendly yet firm with guests. If a guest is showing signs of intoxication, you should refuse entry to the establishment. If it is not possible to determine the level of impairment of the patrons upon entry to the establishment, alert your co-workers to watch for and act immediately on the earliest sign of trouble.

Check identification

Guest must be of legal age to enter a Liquor Primary establishment and to order an alcoholic beverage in any type of liquor-serving operation. You have the right and responsibility to ensure all guests are of legal age. Remember, you are under no obligation to allow entry or provide service. It is up to the guest to provide proof of age. The person whose job it is to check ID must check all people who appear to be close to or under



New BC Services Card



BC Driver's Licence

the legal age. It is important to use appropriate, non-confrontational language when checking for ID and dealing with guests.

The establishment should provide a well-lit, quiet, secure space to perform guest checks. Tools, including a flashlight with extra batteries, confidential electronic card scanner/reader, black light, magnifying glass or jeweller's loupe and an up-to-date resource that lists acceptable IDs (complete with sample images) are important.

ID requirements for BC

Two pieces of ID are required in BC to verify age. A licensed establishment is subject to significant legal penalties if any alcohol is served to a minor. The minimum penalty is a 10-day licence suspension or \$7,500 fine. Furthermore, a minor caught using false identification is subject to a \$230 fine issued by police.

The first piece of identification must:

- be issued by a government agency (Canadian or other) and
- include the person's name, birth date and picture

Primary ID can include a driver's licence (including out-of-province), passport, citizenship card, First Nations status card, federal Firearms Possession and Acquisition licence, National Defence ID. Any of these can be used as a secondary piece of identification as well.

As of February, 2013, a new BC Services Card has come into circulation. This card replaces and combines the original BC Driver's Licence and health CareCard into one identification card. The transition will be complete by 2018. There will be a separate BC Services Card for those individuals that don't have a BC Driver's Licence. The CareCard has been cited as the most used form of secondary ID, raising concerns about its loss in this regard.

The second piece of ID is required to verify the authenticity of the first piece of ID. It must:

- include an imprint of the person's name and
- include the person's signature and/or picture

Secondary ID examples can include credit cards, bank cards, university or college student ID cards, interim driver's licences (issued by ICBC), BC Transit ProPASSes, Canadian Blood Services donor cards,

Transport Canada's Pleasure Craft Operator's Cards, Aeroplan cards or other ID that include an imprint of the person's name and either the person's signature or the person's picture.

You can accept expired and foreign ID, as long as it is readable and you can recognize the customer from the picture.

Check each piece of ID carefully. Some of the enhanced security features of the new British Columbia Driver's Licences and Identification Cards include:

- Optical variable device: a stamped, holographic foil featuring a whale, the provincial coat of arms and provincial logo.
 - Micro and rainbow printing: a printing that is visible only under a magnifying glass and written in a unique pattern.
 - Ultraviolet designs: these designs only appear under a black light.
 - Magnetic stripe: this stripe contains the same information as printed on the identification card. Card readers are available to scan this information.
 - Barcodes: these codes cannot be altered and unique numbers are assigned to each card.
 - Laser engraving and raising of features: the cardholder's image and signature are tactile and discourage counterfeiting.
 - Ghosted image: the cardholder's image is "ghosted" at a different depth from the primary photo.
 - Polycarbonate cardstock: these are more tamper-resistant and durable than plastic-laminated cards.
- Elaborate graphic designs: a BC mountain range, the Steeples and the Kootenay River, is featured on the BC Driver's License. An Orca appears on the BC Identification Card.
 - Larger type: the cards include a larger typeface to ease inspection.
 - Additional text found on BC Novice (N) and Learners (L) type licences: The date the card holder will turn 19 is placed prominently to make it easy to verify legal age.

If the person cannot produce two pieces of acceptable identification that proves they are 19 or older, you must refuse service. Your vigilance in attempting to establish proof of age, even if what was accepted as proper ID later proves to be false, could be raised in a legal defence.

When you suspect fake ID, or have any other concerns about the authenticity of ID, you must refuse service. Do so in a polite but authoritative manner. Express regret that you cannot serve them. Do not be judgmental or try to embarrass the individual. Return the ID and make a note of the incident in your establishment's logbook, discussed later in this section.

Use the following tips to identify and discourage the use of fake ID.

Tips to identify and discourage the use of fake ID

Check if the ID is counterfeit

Hold the ID in your hand. Do not let the person flash it at you. Check if the ID is a copy of the real ID. Check various security features and make sure they all appear authentic. Counterfeiters might be able to replicate some—but not usually all—of these features using advanced technology.

Compare the person to the photo

These days, hairstyles and colors (and even eye colors) can be changed easily. Look at facial features like height and positioning of cheekbones and the spacing between the eyes. Sex, height and weight information are worth checking as well.

Look for signs of tampering

If the card is in a plastic sleeve, wallet or purse, ask to have it removed. Look for wrinkles, bubbling or peeling. Run your fingers over the card's face and edges to check that the seals are intact. Note inappropriate raised or bumpy surfaces or uneven edges. Be especially vigilant around the areas of the date of birth and photo. Consider the thickness of the ID. Does it seem multilayered? That could be a sign of after-issue lamination. Ensure the typeface is consistent throughout. Check the reverse side. Counterfeiters will often spend a disproportionate amount of time on the front of a fake ID but merely photocopy the back. Look for blurred lettering or lack of focus.

Make sure that ID is authentic

If out-of-province ID is presented, you should have a current book of valid IDs close at hand. There are references available that show examples of valid North American IDs. Have a copy at the door and a backup copy stored in the office. If you are not sure of a piece of ID's authenticity, you must refuse entry and alcohol service to that individual. When checking IDs, you may come across an ID that you are unfamiliar with. Refer to the resource book that has samples of all North American IDs. See Appendix C for further information.

Check the second piece of ID

Examine the secondary, supporting ID with the same vigilance you use for the primary piece. Ensure the information on both cards matches. If you are still unsure, ask for a third piece of ID.

Ask the person to verify the signature

If you suspect an ID to be false or tampered with, request that the person verify their signature. To test the signature, ask the person to sign and date a piece of paper, and compare it to the ID. Also, write the person's Driver's License number (and other ID information) on the paper and keep the sample in the logbook.

Watch body language and behaviour

Look for signs of nervousness. Darting eyes and fidgeting may be signs of someone trying to pass off a fake ID. Are they trying to distract you with questions about the band, cover charge, hours, etc.? Is the guest being flirtatious or acting overly friendly? Avoid distractions and scrutinize the ID.

Talk to the person

Make eye contact. Ask them some random questions. What high school did they go to? What year did they graduate? How old were they? What is their zodiac or Chinese horoscope sign? What does their middle initial stand for? How do they spell their middle name? What is their postal code? There should be no hesitation in answering any of these questions.

Maintain a professional staff image

Hospitable, friendly and polite staff encourage a hospitable, friendly and polite atmosphere. By having well-trained and disciplined floor staff as an example, guests tend to be more respectful of the environment and behave in a more positive manner. Most likely, minors will choose to try their luck elsewhere where the threshold of professionalism is not so high and where rules or procedures may be broken or ignored.

Case study

Outside a popular Vancouver nightclub where a line has formed, a nightclub employee discreetly whispers to the doorman checking ID, "Hey Brian, see those two couples down there?" Brian nods. "One of the guys asked the other guy if he had the ID when they were getting out of their car." Brian replies, "Cool, thanks for the scoop." After a few minutes, one of the couples is in front of Brian at the club entrance. "How's it going," Brian asks as he greets the couple.



The guy gives Brian his ID and says, "Not bad." Brian examines the ID closely with a pocket flashlight and says, "Can you tell me your street address?" The man replies, "753 Parlour Drive." Brian continues, "What's your date of birth?" The guy hesitates, "Um...September 23, 1983." "How tall are you?" continues Brian. The man answers, "Five.. e.. eleven." "I'm going to need you to write your signature down like this one," Brian indicates, pointing at the ID. "Sure, no problem." The guy signs the piece of paper and returns it to Brian. Brian examines the signature and states, "I'm sorry, I'm not going to let you in." The man, upset, turns to his girlfriend and says, "What! Let's get out of here, man," and walks away.

Discussion questions

- What are the steps Brian took to verify the ID?
- How did teamwork help in discovering the fake ID?

Monitor customer conduct

Being alert to potential problems is not the sole territory of managers or wait staff. It can begin with a valet parking attendant or a host or security staff at the door, someone who is in a position to watch the behaviour of customers arriving at the establishment. Bus staff that are clearing tables can easily monitor

the behaviour at nearby occupied tables. Take the time to talk to your guests. This will help determine their level of intoxication and you can watch for physical and behavioural changes. Working cooperatively can help to avoid problems before they occur. Where one employee may have missed problematic behaviour, another may spot it.

Types of problem customers



Underage customers / minors



Inherited or chronic drinkers



Known troublemakers

Identify and manage problem customers

You must be vigilant to watch for problem patrons and ensure that all staff are aware of their presence and behavioural tendencies. Work as a team to identify and manage problem customers. Be prepared to act sooner rather than later, when a problem situation arises.

There are three main types of problem customers:

Underage customer or minors

Of all problem patrons, minors are the most likely to try to use fake ID, and when possible they will take evasive action to avoid being scrutinized. Minors will often leave the table when a server approaches, letting others place a drink order for them. Therefore, ask to

see everyone's ID before serving the party. Minors may have difficulty maintaining eye contact during ordering. They may be unsure and order what everyone else in the group is having. Focus on your guests and try to read their body language. Do they look indecisive and appear like they have something to hide?

Typically, there are three ways in which a minor may try to mislead:

- Falsely using valid ID, hoping the resemblance is plausible
- Using completely manufactured or counterfeit ID
- Using authentic ID that has been manipulated or altered to misstate the holder's name, date of birth, photo or other information.

In British Columbia two pieces of ID must always be provided when asked. Be sure to check the secondary ID just as thoroughly as you would check a primary ID. If the person cannot produce two pieces of acceptable identification that proves they are 19 or older, you must refuse service.

Preventing others from purchasing alcohol for minors

Minors themselves are not your only issue; you must also be aware of any individual who is trying to purchase alcohol for minors to consume. This is against the law. If any alcohol is given to a minor by a person of age, immediately refuse service to the entire group and remove the alcohol from the table.

Observe and ID everyone at a table at which customers appear to be close to or under the age of 19. If you are not sure of someone's age, ask for proof. If you are still unsure, the best policy is to err on the side of caution and refuse service. Guests must provide a suitable proof of age or accept your decision.

Tips for retail liquor store employees A retail store establishment should take measures to ensure that the customers, staff and members of the community at large are not harmed because of liquor misuse or criminal activity in the store. Reasonable measures must be taken to prevent disturbances in and around the store. Examples of reasonable measures include:

- installing adequate lighting outside your store and in the parking lot
- supervising your parking areas, and/or
- posting signs asking your patrons not to disturb your neighbours.

Retail store staff should greet customers as they walk into the store and spend some time talking to them in order to assess their behaviour. A quick conversation can help identify problem customers including minors or intoxicated persons. It is the legal responsibility of all employees of a retail liquor store to ensure that liquor products are not sold to minors or intoxicated persons. If you suspect or have knowledge of a customer who appears to be purchasing alcohol for a minor or someone who is intoxicated you should refuse the sale.

Keep an eye out for activity that indicates customers are purchasing for minors. Note any of the following:

- Minors hanging out near the store, usually in groups.
- Customers who are talking to minors outside the store. These customers may tell an employee directly that minors are asking them to purchase alcohol.
- The same product purchased or attempted to be purchased within a few minutes. For example, a minor without ID or with an invalid ID is refused service, and another customer is purchasing the same products that the minor had attempted to buy a few minutes earlier. Usually, these products are the least expensive and are high in alcohol content.

Inherited or chronic drinkers

Young people frequently pre-drink at home in order to avoid the higher costs of drinking in licensed establishments. With the availability of legalized non-medical cannabis, it is expected these people are likely to consume cannabis as well, in addition to pre-drinking. So, you may inherit patrons who have consumed alcohol and/or cannabis before arriving at your establishment.

What would you do?

A patron is at the cashier of a retail liquor store with two cases of beer. The clerk suspects the patron is purchasing for a minor because he has seen a minor talking to the patron and giving him money in the parking lot of the store.

Clerk: I'm sorry sir, I cannot serve you today.

Patron: Why not? I'm old enough. I have ID if you need it.

Clerk: Are you buying beer for the kids out in the parking lot?

Patron: No, I'm having a party at my place.

Clerk: I'm sorry, I saw you taking money from a minor, and I suspect you are buying beer for a minor. **Patron:** Well I'm not, and you can't refuse to serve me if I'm over 19. **Clerk:** By

law, I'm allowed to refuse someone I suspect is purchasing alcohol for a minor. **Patron:**

Hey, no problem. I'll buy my beer somewhere else.

Clerk: Have a good evening.

Think about it

What should the clerk do next?

You should identify guests that may have been consuming alcohol or cannabis prior to arrival at the establishment. They may already exhibit mild signs of intoxication, smell of cannabis or may become overly intoxicated very quickly in your establishment based on the amount of alcohol or cannabis they had previously consumed. Have a house policy in place about refusing service to already intoxicated patrons whether they are intoxicated by alcohol, cannabis or the co-use of alcohol and cannabis or other drugs. You must learn to recognize the signs of intoxication (see Section 2), and act quickly to cease alcohol service and assist the guest to get home safely.

The chronic drinker is someone who may have developed a tolerance to alcohol and is adept at masking the early visible signs of alcohol's inevitable

impact. It takes experience on the part of a server or licensee to gauge this drinker's state. Eventually, the chronic drinker will demonstrate the same symptoms as anyone else who is intoxicated. (Be mindful that people suffering from a recent stroke, or some types of disabilities and mental health conditions, may display signs similar to those of intoxication. You can refuse to serve someone who is intoxicated, but not someone who simply has a disability.) To make an informed decision, engage your guest in conversation in order to ascertain the level of sobriety.

Known troublemakers

Establishments that serve alcohol attract all types of clientele. Most are out for a good time with friends, but there are others whose idea of a good time is trouble for everyone else. If you have had recurring problems

with individuals or groups, you have a responsibility to prevent them from threatening and intimidating other guests. You must be watchful and act immediately at the first sign of any disturbance.

Team members need to keep each other and the management informed of any problem customers and behaviours that may not be conducive to the atmosphere of the establishment.

Use confidential electronic scanners to cache ID information and have a time-stamped security camera

at the door that records images of all patrons coming and going from your establishment. The name, photograph, date of birth and gender of customers should be collected, but only retained for a 24 hour period. After that customer information should be completely destroyed. However, if a customer is determined within that 24 hour period to pose a safety risk, the customer information collected may be kept and shared electronically with other licensed establishments for customer safety purposes.

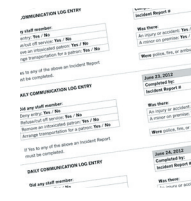
Record incidents and share information



System of recording incidents



Dedicated logbook



Detailed account of incidents

Record incidents and share information

Management and staff need to discuss and practice ways to refuse entry to anyone who is a minor, intoxicated or potentially troublesome. In addition, management and staff must record incidents to preserve evidence and to share the information with others. An incident can include fights or other disturbances and accidents that adversely affect:



- patrons or staff
- people who live or work in buildings adjacent to the establishment or event site, or
- the operation of the establishment or event site

An incident can include refusal of entry at the door or refusal of service at the table because customers were minors or intoxicated. It can also include any other illegal or questionable acts by problem customers. You will learn more about how to prevent and resolve difficulties using specific intervention strategies later in the section.

When an incident occurs at an establishment, it is crucial that the evidence relating to that incident is preserved.

There are three steps to record incidents and share information:

1 — Establish a system of recording incidents

When an incident occurs, it is important to make a record of both the employees' recollections of the events as well as an account of the incident from any witnesses. The police may ask the establishment to provide an official statement about the incident. Therefore, the policies and procedures of an establishment should state that employees who are working at the time of an incident are required to complete statements about the circumstances of the incident when requested. The manager on duty should also seek contact information from any other witnesses to the incident and if possible obtain statements from them about the incident. These statements should be as detailed as possible.



Staff should be trained to directly report any incident to their manager. If the police request an official statement, the establishment should contact their insurer immediately. Management should also notify its insurer if the incident may lead to legal action against the establishment.

In most instances, a person's right to sue for an incident in an establishment ends after two years. However, there are circumstances in which a legal proceeding may be commenced against an establishment several years after the incident. For example, in the case of a minor, the two-year period does not begin until he or she reaches the age of majority. In other situations, the time limitation period may be extended because an injured party does not have enough information to determine who the defendants should be.

While a lawsuit may commence at a later time, the memories of those who witnessed the incident will fade over time, so their evidence should be gathered and recorded as quickly as possible. With this in mind, all incident records should be preserved for at least six years.

2 — Use a dedicated logbook

Staff should use a dedicated logbook to record incidents when they have had to refuse service because customers were minors or intoxicated. This logbook can list the names and/or images of people refused or ejected in the past for causing any disturbances. This logbook can then be signed by the manager and shows that an establishment is abiding by the laws.

Logbooks should be bound books, not loose-leaf binders, because in court a bound book will have more credibility than a binder that could be easily altered. If the book contains page numbers printed in sequence, even better. By having a tamper-proof, bound book it will be difficult to remove reports, while evidence of tampering is often apparent and provable.

Recording events in a logbook while they are still fresh in everyone's mind is crucial. This ongoing record of problem patrons will help to identify persistent issues and encourage management to review policies from time to time. An accurate and complete log, together with sales slips, may form the backbone of a defence in civil litigation and in enforcement hearings before the liquor authority. Consider posting the images of people refused or ejected near the door (in a private and discreet place) or in a staff area for their reference. It helps to build a picture of any problem patterns.



3 — Capture a detailed account of the incidents

As soon as an incident has been taken care of, it is important for the manager or licensee to check that the key details are captured and that all sales records associated with the incident are preserved. Details should include the time, place, date and nature of the incident, a description of the parties involved, the action taken, the names of witnesses and any other pertinent information.

Managers should use the entries as a learning tool and debrief staff after all incidents. This gives managers an opportunity to improve procedures and house policies, and to praise or correct staff performance.

Check Appendix H for a sample of the information that should be included in an incident report.

Helping your co-workers become effective in implementing the RBS program is largely a matter of communication. Staff must communicate with each other, informing co-workers about any difficulties that they have experienced and with whom. Staff

should also have a clear understanding of their rights, responsibilities and the house policy, in the event that they encounter people who must be denied entry, staff should be familiar with the various approved methods to handle these situations most effectively.

Maintain close liaison with local law enforcement agencies to keep abreast of any criminal activities in your area. Join your local Neighbourhood Watch or Bar Watch program to engage the community and help create a safe environment in which to operate your business.



Intervention strategies

Sometimes, despite your efforts to implement responsible beverage service, guests may reach a state of observable intoxication. At these times, you need to use specific intervention strategies that can help protect you, the establishment, the customer and other people from any dangers associated with intoxication. Duty of care obligations require you to intervene if guests are displaying signs or symptoms of intoxication. Once you have identified that a guest is intoxicated whether by alcohol and/or other substances like cannabis, it is your legal responsibility to stop serving alcohol to that person.

Follow these three steps to intervene and deal with difficult situations:

- 1. Monitor behaviour and slow down service**
- 2. Seek assistance and discontinue service**
- 3. Ensure that customers arrive home safely**

Monitor behaviour and slow down service

The key to maintaining a safe environment is early intervention. The first step towards early intervention is to monitor guest behaviour and slow down service, if required. You should monitor and assess customer behaviour and look for signs that can help identify the level of intoxication. Remember what you learned in Section 2 about signs and possible behaviours associated with intoxication, especially in relation to the combined use of alcohol and cannabis. Learn to recognize these behaviours in order to slow down service.

Working cooperatively is an important aspect of implementing intervention strategies. Here are the top 5 tips to work as a team and monitor customer behaviour:

A quick chat with your customers before taking their next order can help you set the pace and tone of service.

Top 5 tips for monitoring customer behaviour

1. Participate in cross training. The more jobs you are proficient at in your establishment, the better you are prepared to pitch in and help. Cross-training helps you gain an understanding of what is happening in your co-workers' average shift.
2. Exchange observations about guests as you start or end a shift to help identify potential problems. Share information with each other especially if there has been a change in house policy, or there was a recent new incident entered in the incident logbook the staff should all be aware of.
3. Be on the lookout for co-workers' non-verbal indicators that something is wrong in their section. Watch your co-workers' sections when they are on a break, and be prepared to report any unusual customer behaviour.
4. Tell each other if you notice a customer nearing intoxication or if someone has entered who is already intoxicated, whether by alcohol and/or other substances.
5. If a guest is changing sections (for example, was at the bar and is now sitting at a table), check with a co-worker as to how much alcohol has already been served to that customer. The guest may have been refused service and may try to get service in another section.

Communicate with customers and pay attention to their drinking pattern and general demeanour. Seek information from your co-workers about the customer and work as a team to share information about the customer's drinking pattern. If you find that the customer is ordering or drinking rapidly, and/or consuming cannabis outside the premises, slow down service tactfully. Serve one drink at a time and wait for the customer to reorder. Offer non-alcoholic beverage options and if possible, serve food to decrease the rate of drinking.

Alcohol poisoning can occur if a guest consumes too much alcohol in a very short period of time. If this occurs, critical organs such as heart and lungs are affected and a person can lose consciousness. If you believe someone is suffering from alcohol poisoning, seek immediate assistance and call 911.

Seek assistance and discontinue service

Even after the most responsible beverage service, you may be faced with a customer who shows visible signs of intoxication. When this happens, you must discontinue service.

Refusing and discontinuing service is a challenging situation especially when it involves new staff and regular customers. Clear written house policies and a planned procedure help in managing such situations.

Here is a systematic procedure for dealing with difficult situations:

1 — Assess the situation

Take a moment to assess the seriousness of the situation. This will help you determine the best strategy to minimize danger, disruption and any potential embarrassment that may occur. Assess whether you should advise co-workers or the management and whether the team can handle the situation. The management must identify whether they can handle the situation or if they need to inform the police.

2 — Identify a backup co-worker

When a team member is about to discontinue service, a backup team member should be identified. It is important that this backup member is given all the information relevant to the situation. Identifying a backup co-worker creates a support system. Decide who will do what (for example, one server discontinues service while the other calls for alternate transportation). The backup co-worker should stand by and assist if the need arises. The house policy should clearly state the responsibilities of each employee



while performing an intervention. Review each other's responsibilities and act accordingly.

3 — Create a plan to speak to the guest Choose your moment to speak to the guest as soon as possible. Be prepared with information about the law, house policy and procedures as you may be challenged. Be prepared for escalating circumstances as well. This is where the effort of good staff training pays off. Role-playing these difficult scenarios in advance can be useful.

4 — Execute the plan quickly, firmly and fairly

The more discreet you are the better. The objective is to discontinue service of alcohol to protect the individual and third parties, and not humiliate anyone in the process. If possible, try to approach the guest away from the table so as not to cause embarrassment. If the guest steps away from the table, it may present a good opportunity to approach them. Do not "corner" your guest publicly. Use tact and diplomacy; remember, intoxicated or not, they are still your guest. You may

consider approaching a guest's tablemates if your initial private conversation with the guest proves unsuccessful. Enlist help from them by ensuring they are not buying drinks for someone who should not be served.

5 — Choose your words carefully

No matter what the response is from the guest, be courteous. Avoid threatening statements or judgmental comments. Do not say, "I'm going to have to kick you out," or "You're drunk! Time to leave." Explain your position and responsibilities. Do not try to put down the guest or cause negative feelings. Try to shift the focus to something or someone else rather than give the impression it is your decision. Cite the house policy, saying, "I have no choice, it's the law," or "I may lose my job if I break this policy." Use closed statements. Avoid arguments and do not bargain. All the while, let the guest know there will be no negotiation.

6 — Remove alcohol

Remove any alcohol from within the guest's reach. In a retail environment, move the bottle of liquor away from the customer and place it under the counter. In a licensed premise, remove all bottles or glasses of liquor from in front of the customer at the table or counter.

7 — Defuse negative confrontations You can defuse negative confrontations by starting statements with "I" such as "I will not be able to serve alcohol." or "I'll be in trouble with my manager." etc. Avoid putting the guest on the defensive. Do not use words like "drunk" or "smashed" etc. that accuse



a guest of being intoxicated. Keep in mind that friendliness, courtesy, professionalism, and respect go a long way toward avoiding negative confrontations. You can elicit more cooperation from a guest if they feel they are being helped rather than being accused.

8 — Listen and empathize

Acknowledge the guest's anger, frustration and disappointment. Make sure they realize that this is not a permanent ban. Inform them that you would happily welcome them back in the future. The reason you are doing this is that the guest is important to you. Try to play up, rather than lessen, their importance to your establishment.

9 — Be prepared to help the guest if necessary

Depending on their degree of intoxication, your guest may require assistance. If they have lost gross motor skills, they may bump into furniture or fall over. You should always ask guests if they would like your help before helping them. Meanwhile, request the backup co-worker to identify alternative forms of transportation.

10 — Stay in the room

Performing an intervention is always awkward. One of the parties (or both) may feel some level of discomfort. Your initial reaction may be to remove yourself from the unpleasant situation, but you cannot leave the room before the guest does. This does not mean lurking over them, goading them to hurry up, but rather maintaining presence and control. Stay within line of sight and earshot if possible and busy yourself with other work.

It is important to handle intoxicated customers in a safe and professional manner. Always remain calm and courteous and if possible, speak to the customer in private and away from friends or other guests on the table. Share regret about not being able to serve any more alcohol and express your concern for the customer's safety.

Case study—refusing service

Part 1

At approximately 11:30 p.m., two women in their mid-50s, Tina S_____ and Alice T_____, are seated in a fine-dining establishment. It is a cloudy, cool evening. They are visibly intoxicated, speaking loudly and laughing. The busboy, Jim, who has just been at their table, informs the server that the women are intoxicated. The server, Jennifer, is explaining it to the maître d', Robert and saying, "Now they've asked for another bottle." Robert answers, "Well, if things are as Jim says, you know what to do. I'll be along in a moment."



Jennifer walks to the women's table and says, "How is everything here, ladies?" One woman replies, "We just want to get another bottle of this yummy cabernet." Jennifer gently removes the empty bottle and says, "I'm very sorry, ma'am, but we won't be able to serve you any more alcohol tonight. It's against our company policy."

Tina replies, "Did I just hear what I thought I heard—that you are cutting us off? Do you have any idea of how much money we've spent this evening? You don't want to blow your tip on this." Jennifer takes a deep breath and says, "We're very glad that you joined us tonight and that you are having a good time, but it's much more important that you get home safely." Tina then says, "We're fine, just bring us some wine." Jennifer replies, "If you were to get in an accident, we would be held responsible."



The patron becomes angry and exclaims, "Bring us the wine or bring me the manager. Hey, it's up to you, OK!" Robert is watching and listening to this interaction.

Discussion question

How should the maître d', Robert, handle this situation?

(Check your answer in Appendix A before moving on to Part 2.)

Part 2

Robert comes to the table. "Good evening, ladies," he says. Tina interrupts, "Well, I can't believe your server has told us we can't have any more wine." Robert replies, "That's right, I'm afraid that we cannot serve you any more. We just want you to get home safely, and we would be happy to call you a taxi on the house to make sure you get home safely." Alice says to her friend, "Aw... come on Tina. Let's take the taxi to my place. I have some cabernet we could drink. No one can cut us off there." Robert calls Acme Cabs for the ladies and walks them out to the taxi.

Discussion questions

How was teamwork effective in this intervention?

How would you fill out an incident report for this situation? Compare to the incident report in the Appendix H.

(You can find the answers in Appendix A.)

Ensure that customers arrive home safely

The next step after discontinuing service is to ensure that intoxicated guests are put into the care of a sober and responsible person and arrive home safely without injuring themselves or others. Remember that the guest's intoxication will last several hours and that your duty of care can potentially last until the guest gets home or when the guest is put into the care of a sober and responsible person. In certain cases, the duty can continue even after the guest arrives at home.

You can use one of the following strategies to ensure that intoxicated guests arrive at a safe place:

- If an intoxicated patron has come with other guests, enlist the support of one of the guests who has not been drinking to drive home.
- Offer incentives to leave the group's car behind, such as free parking or a voucher for coffee in the morning.
- If the guest is by himself or herself, ask the guest whether there is a friend or relative who can be called to get them home safely.
- Utilize alternative driving programs or transit and taxis as alternate transportation arrangements.
- Offer to pay for a taxi if the patron is unable or unwilling to pay for one.

If, despite your best efforts to provide alternate transportation, an intoxicated guest somehow manages to get in a vehicle and drive away, write down the description of the car, the licence number and the general direction they are travelling, and then call police immediately with this information.

Stay in the room after the guest leaves the establishment. Keep yourself occupied by talking with other guests who may have been affected by the service intervention. Keep an eye out for the guest who has just been ejected. Some guests may become indignant after a little reflection, and return for further argument. You want to prevent such people from re-entering your establishment for the safety of other guests, staff and yourself.

Make sure you communicate with your co-workers about the intervention. Inform your manager of the situation and describe what happened. Record the incident in the logbook and attempt to get statements from at least two unbiased witnesses.

Managers should use the entries as a learning tool and debrief staff after all incidents. This gives managers an opportunity to improve procedures and house policies, and to provide feedback to staff in case there is a next time.

Other safety issues

Forcible ejection

At times, an intoxicated guest will refuse to leave the premises. The guest may be angry or violent, and therefore the establishment must protect staff and other guests from potential harm. If force is to be used to eject a guest from the premises, care must be taken to ensure that only reasonable force is used. Any force

that results in injury could leave both the server and the establishment open to legal action. Every licensed establishment should have a written policy on what to do in the case a guest refuses to leave. All such incidents should be written into the incident report logbook immediately after the incident has been resolved.

Steps for ejection should include:

- Let the guest know that you have the authority to ask the guest to leave.
- Ask in a clear, concise manner for the guest to leave.
- Do not rush and let the guest take a few minutes.
- If the guest still refuses to leave, it may be time to call police.

If the guest refuses to leave, or if the guest poses a danger to other guests or a staff member, then the licensee or staff may use such reasonable force as is necessary to remove the problematic guest from the premises. If you must use force to remove a guest, follow these guidelines:

- Do not escalate the situation by antagonizing the guest.
- Be calm and use a non-threatening tone of voice.
- Do not hit or attempt to injure; hold the guest and walk them out.
- Only do what is necessary to protect yourself and others if the guest is attacking you or other guests.
- If there is any reason to suspect that patrons may become involved in violence or hostilities outside the establishment after they are ejected, ensure that the removals are staggered in time and carried out in different areas in order to minimize the risk of further or continuing violence.

Case Study: Importance of “Serving It Right”

The case: LaFace v. McWilliams (2005, B.C. Supreme Court)

The circumstances: A very intoxicated patron drove away from a pub and injured several people in a serious motor vehicle accident. A friend of the patron had warned the door attendant that the patron intended to drive but nothing was done to stop him. At trial, the owner gave evidence that all of the employees were required to be certified by the Serving It Right program and that the establishment had a zero tolerance policy for violations of the Liquor Control and Licensing Act. The evidence revealed that there were numerous instances of violations and the Court concluded that although the employees were familiar with the Serving It Right manual, they did not enforce the program.

The decision: The licensee was held 50% liable for the injuries to the people injured by the intoxicated patron.

The lesson: Knowledge of the Liquor Control and Licensing Act and staff with Serving It Right certificates are not enough for a licensee and its employees to avoid liability. All staff should be familiar with the principles of responsible beverage service. What is most important is that there is a system in place—a house policy—so that these principles are implemented. This is the only way a licensee will be able to fulfill its duty and prevent harm coming to the public because of over-service of alcohol. The LaFace case demonstrates the importance of having professional and trained staff who implement a well thought-out house policy.



Summary

By providing a professional environment, working as a team and implementing planned intervention strategies, you can prevent customers from becoming

intoxicated and you also play a big role in reducing the risk of alcohol-related problems. To summarize this section, here are the top 10 tips for implementing an effective RBS program:

Top 10 tips for implementing an effective RBS program

1. Educate staff on the effects of alcohol

Review the concept of the standard drink. Review the typical signs of intoxication and the concept of blood alcohol concentration. Dispel myths regarding sobering up.

2. Explain potential liability issues

Ensure staff understand the potential for legal liability and repercussions of over-service. Have a proper, bound incident logbook for each beverage-serving outlet. Complete an incident report with all required details immediately after an incident. Promptly contribute your observations for the incident logbook.

3. Promote your house policy

Post your house policy at the door, and at all beverage service outlets. Menus, table tent cards and prominently displayed signage can be tactfully worded to let guests know that your establishment does not serve to the point of intoxication. A visible and written show of policy will help staff with enforcement. A house policy also acts as a reference point in the event of a misunderstanding between staff and guests.

4. Establish customer rapport

Consider a dress code for both staff and guests to create the right tone and ambience for your establishment. Try to achieve a gender mix through marketing activities that encourage socialization. Assess each guest's sobriety upon arrival. An initial greeting is a simple sign of hospitality and is useful in making a quick assessment. Use this opportunity to determine the nature of the guest's visit. A celebration, stag or birthday party may foster overindulgence.

5. Offer refreshing alternatives to alcohol

Servers should promote alcohol-free alternatives actively, especially in support of a designated driver program and should routinely provide and fill water glasses for all patrons. Menus, promotions and specials can include alcohol-free drinks.

6. Promote your menu

Have low-cost food specials available and actively promote them. Offer discounts or attractive pricing on food items later in the evening. Feature items that encourage eating a balanced meal.

7. Suggest alternative activities

Provide entertainment, games or other diversions for guests to enjoy while visiting your establishment. Offer these activities free or at low cost to encourage participation.

8. Monitor the pace of alcohol consumption

Discourage large portions or multiple servings. Encourage the service of one standard drink at a time. Keep an eye on self-service from the public bar stations as well as your own service.

9. Actively discourage excessive drinking

In general, avoid promotions that encourage excessive alcohol consumption or multiple portions (i.e. buckets of beer). Do not suggest additional drinks unless prompted by a guest. Discourage large orders near the closing time. Do not advertise “last call.” Discourage the sale of beverages designed for quick consumption, such as shooters or “yards” of beer.

10. Maintain open lines of communication and visible manager support

Monitor the room constantly, paying especially close attention to corners, booths, dark areas or other areas that are not in plain sight. Watch for noticeable changes in guest behaviour. Communicate with staff (servers, bartenders, managers) about any potential problem guests. Have a visible manager or supervisor on the floor at all times.

With a written house policy and adequate training, staff are able to execute their roles and responsibilities effectively and provide a more professional environment. In addition, the establishment is more

attractive and profitable when it is able to avoid problems caused by intoxicated customers. When alcohol is served responsibly, everyone benefits.

Questions to ask at work

- Are all staff trained and regularly updated on the house policy?
- Who is responsible for door control and checking for ID at our establishment?
- What situations result in most problems with intoxicated patrons?
- Are we aware of our house policy regarding steps for discontinuing service to an intoxicated guest?
- Have we practised effective dialogues for discontinuing service?
- Do we know where the incident log is located, and do we know how to fill it out properly?
- What alternate transportation options are available in our neighbourhood?

Key term definitions

Alternative transportation is finding another way home for an intoxicated patron who drove to your establishment. The goal is to prevent the guest from driving drunk. Alternatives could include a taxi, a ride home with a sober friend or calling someone to pick the guest up.

Binge drinking is the consumption of an excessive amount of alcohol in a short period of time.

A **Designated Driver** program is a program offering free or discounted food and/or non-alcoholic drinks for the person in a group who has agreed to drive and not drink any alcohol.

A **house policy** is a comprehensive set of policies for responsible beverage service specially created for an establishment by the manager or licensee.

An **incident report** is a written record of any event that has occurred in an establishment that could result in future legal action.

Intervention is when a server, manager or licensee ensures that service to an intoxicated patron is discontinued and that the guest gets home safely.

Quick review

Write out your answers before checking them in Appendix A.

1. List three ways to identify fraudulent ID.
2. List two types of activity that indicate customers at a liquor store are purchasing for minors.
3. List three tactics to help create a pleasant and professional environment in a licensed establishment.
4. Give an example of an effective way to refuse service to an intoxicated customer.
5. List the important details to include in an incident log.
6. Explain why you must be extra vigilant in monitoring for co-use.

By the end of Section 4 you should know:

- The three main components of an effective RBS program
- How to demonstrate a professional environment by:
 - Creating and implementing a house policy
 - Providing a pleasant service experience
 - Publicizing and marketing the RBS program
- How to implement coordinated teamwork by:
 - Helping your co-workers in an RBS program
 - Identifying and managing problem customers
 - Recording incidents and sharing information
- How to intervene and deal with difficult situations by:
 - Monitoring customer behaviour and slowing down service
 - Seeking assistance and discontinuing service
 - Ensuring that customers arrive home safely



5 — Review

Key concepts review

Following are the key concepts you should understand before writing the exam. Review the objectives and quick facts for each section. If you find you cannot explain the points in your own words, re-read the applicable section.

OBJECTIVES	QUICK FACTS	GOT IT?
Section 1 – Getting started with Serving It Right		
What is Serving It Right?	Developed to reduce service-related alcohol problems. Created through partnership of provincial government and hospitality industry.	✓
Who needs a SIR certificate?	Licensees, managers, and servers in all establishments where liquor is served or sold directly to the public must have SIR certification prior to working in a licensed establishment including: <ul style="list-style-type: none"> • Food-Primary establishments (licensees, managers, all servers); • Liquor-Primary and Liquor-Primary Club establishments (licensees, managers, servers and bartenders); • Aircraft (flight attendants serving alcohol on the ground); • Catering businesses (licensees, managers and staff serving liquor at events); • Licensee Retail Stores (licensees, managers and sales staff); • Wine Stores (licensees, managers and staff—except at sacramental wine stores); • Special Wine Stores (sales staff); • Duty Free Stores (managers and staff—except ship chandlers); • BC Liquor Stores (all managers and sales staff); • Manufacturer Sampling Areas, On-Site Stores, Lounges and Special Event Areas (licensees, managers and servers); • Rural Agency Stores (all agents and staff); • Agents (all agents and sales staff—except foreign representatives of foreign liquor manufacturers); • Care facilities (staff responsible for the service of liquor); • Special events (of any type) with more than 500 people attending (licensees and managers). 	

OBJECTIVES	QUICK FACTS	GOT IT?
The changing view of alcohol	Concerns about alcohol over-consumption and public safety.	
	Licensees and staff found increasingly responsible for alcohol-related injuries in courts.	
	Combining alcohol with other substances like cannabis causes a more intensified intoxication.	
The impact of a responsible beverage service program	Licensees and staff must look out for other intoxicants like cannabis, when monitoring for intoxication.	
	Eliminates sale and service of alcohol to minors.	
	Reduces over-consumption in licensed premises.	
Section 2 – Alcohol effects and intoxication		
How to recognize intoxication and the over-consumption of alcohol	Intoxication is an observed state, with early signs including impaired judgement, loss of self-control and inhibitions.	
	Each person will be affected by alcohol differently – many factors influence intoxication including age, sex and body type.	
	Possible signs of intoxication include stumbling, poor hand-eye coordination, changes in speech and nausea.	
	Make an initial assessment and watch for a change in behaviour or abnormal behaviour, or the use of drugs in combination with alcohol.	
The effects of alcohol in combination with drugs	Alcohol in combination with drugs intensifies effects.	
	Watch for exaggerated symptoms and have emergency numbers handy.	
What is blood alcohol concentration and a standard drink	A person is criminally impaired if he or she has a blood alcohol concentration of more than .08%.	
	A person is unfit to drive if he or she has a blood alcohol concentration of .05% or more OR his or her ability to drive is impaired by the use of alcohol, drugs or other factors.	
	A standard drink is 0.6 ounces of 100% alcohol; for example, a 5-ounce glass of 12% alcohol wine.	
	The standard drink helps you monitor your guests' intake.	

OBJECTIVES	QUICK FACTS	GOT IT?
Section 3 – Alcohol and the law		
Your obligations under the law related to the sale and service of alcohol	Licensees and staff must meet all requirements of the Liquor Control and Licensing Act and Regulation, along with the Cannabis Act and Cannabis Control and Licensing Act and Regulation in relation to the service of alcohol.	
	Licensees and their staff owe a duty of care to patrons and innocent third parties. Duty of care lasts until the patron arrives home or somewhere he or she can sober up.	
	Licensees and their staff have a responsibility to patrons on the premises, patrons leaving the establishment, and the general public who may be affected by patrons' behaviour.	
The consequences of failure to meet those obligations	The LCRB may impose conditions, suspend or cancel a licence, and impose monetary penalties.	
	The courts have allocated up to 50% of the fault for damage done by intoxicated patrons to those serving the alcohol – the licensee, manager and/or server.	
	Even if only a small percentage of the total blame is assigned to the licensee, the licensee may still have to pay for all of the damages of someone injured by an intoxicated person.	
How to minimize your legal risk	Control the environment in the establishment.	
	Serve no one to the point of intoxication; refuse entry to and remove intoxicated people.	
	Ensure an intoxicated patron has a safe ride home.	
	Do not serve or sell alcohol to minors or intoxicated patrons.	
	Regularly review the Acts, Regulation, and terms and conditions of licences.	
	Call the police when necessary.	
Section 4 – Implementing responsible beverage service		
The three main components of an effective RBS program	Professional environment	
	Coordinated teamwork	
	Intervention strategies	
How to demonstrate a professional environment	Create and implement a house policy.	
	Provide a pleasant service experience.	
	Publicize and market the RBS program.	

OBJECTIVES	QUICK FACTS	GOT IT?
The importance of a house policy to support responsible beverage service	A written house policy provides licensees, managers and staff with the procedures and practical tactics that can be used in different alcohol-service situations.	
	Proper and consistent implementation of the house policy shields your establishment from unwanted lawsuits.	
	Promoting a house policy creates customer awareness and shows that you and your staff are responsible and professional.	
	Written policies should be implemented and enforced by all personnel including licensees, managers and staff.	
	A good house policy includes instructions from management and input provided by staff and guests.	
	Provide proper training for staff and regular review and reinforcement of the house policy.	
Responsible service is simply good customer service	Staff members are the strongest control point and the key to a good service experience.	
	Staff can help control the rate of service, monitor patron behaviour, sell profitable alternatives and create a friendly atmosphere by simply spending some time talking to customers.	
Publicize and market the RBS program	Displays help to create greater customer awareness of moderate drinking and your legal obligations to provide responsible beverage service.	
	A visible and written show of policy helps staff with enforcement and acts as a reference point.	
	A designated driver program promotes customer safety and minimizes the risk of a liability suit.	
How to implement coordinated teamwork	Help your co-workers in an RBS program.	
	Identify and manage problem customers.	
	Record incidents and share information.	
Be an effective team member in implementing RBS	Everyone in the staff has a role in RBS.	
	Talk to your guests and assess them as they enter the establishment.	
	Check identification to ensure all guests are of legal age.	
	Be alert to potential problems and share information to help identify problematic behaviour.	
	Serve as a backup or witness.	
	Assist in handling an intoxicated customer.	

OBJECTIVES	QUICK FACTS	GOT IT?
How to ID minors to prevent underage drinking	Ask for two pieces of ID to verify age.	
	Check the ID photo, feel the document for peeling edges or extra thickness, and look at the details.	
	Validate ID by asking for a sample signature or seeing if they know their address or zodiac sign.	
	Keep an eye out for activities that indicate customers are purchasing alcohol for minors.	
Record incidents and share information	Record details of events in a dedicated logbook and keep these records, along with sales slips, for at least six years.	
	An accurate and complete log, together with sales slips, may form the backbone of a defence in civil litigation.	
	Managers should use the entries as a learning tool and debrief staff after all incidents.	
How to intervene and deal with difficult situations	Monitor customer behaviour and slow down service.	
	Seek assistance and discontinue service.	
	Ensure that customers arrive home safely.	
How to refuse and discontinue service	Assess the situation and identify a backup co-worker.	
	Choose your moment to speak to the guest as soon as possible.	
	When refusing service, explain to the guest privately and discreetly.	
	Be firm; provide reasons for your actions.	
Take positive steps to see that customers arrive home safely	If an intoxicated patron has come with other guests, enlist the support of one of the guests who has not been drinking to drive home.	
	Offer incentives to leave the group's car behind, such as free parking or a voucher for coffee in the morning.	
	If the patron insists on driving, call the police with details.	
	Communicate with your co-workers about the intervention.	
	Record the incident in the logbook and attempt to get statements from at least two unbiased witnesses.	

Review case study

Now it is time to review the case study from Section 1. Read the case study again and use the knowledge that you have obtained from the manual to answer the discussion questions below. How do your answers compare to the answers you gave in Section 1? If you can answer these questions correctly, you are well on your way to writing the exam, obtaining your Serving It Right certification and understanding your responsibilities in regards to responsible beverage service.

Discussion questions

1. Review Jim's ID checking technique. What signs did Jim ignore while checking Dianna's ID or what additional techniques could he have used?

Answer: Out-of-province drivers license; Dianna interrupting Jim while checking ID; did not feel and observe ID carefully; did not confirm information on ID with Dianna.

2. What could the staff at the bar have done to prevent alcohol over consumption?

Answer: Staff could have communicated effectively during shift changes, suggested food, slowed down service, provided a glass of water with the drinks or sold some non-alcoholic beverages, or discontinued service.

3. What indications were there of guest intoxication?

Answer: Loud laughing, nodding off, unfocused vision and bloodshot eyes, number of drinks Dianna consumed (seven over four hours).

4. What steps could the staff have taken to ensure Dianna did not get behind the wheel and get in an accident?

Answer: Promote use of a designated driver; call a taxi or suggest alternative transportation; suggest that she leave the keys with the staff to pick up the next day. If she did manage to drive away, staff could have called the police with a description of the car before she gets in an accident.

5. Who might be held liable if Dianna injured or killed someone? Explain why. What legislation might be referred to in court regarding this case?

Answer: The staff involved and/or the licensee could be held liable. The staff did not meet their obligations for the sale and service of alcohol in BC. Relevant legislation includes the Liquor Control and Licensing Act (you may not sell liquor to minors, you must ask for two pieces of ID, and you must not sell liquor to an intoxicated person).

6. Take a look at the house policy for your establishment. Do you have policies that would have covered all the problems in this case scenario? What policies need work?

Answers will vary.



Appendix A: Answers to tests & exercises

Section 1

Quick review (p.14)

1. A responsible beverage service program is designed to reduce service-related alcohol problems and encourage a responsible, caring and professional approach to serving alcohol.
2. A food-primary licence is issued to restaurants where the service of food is the primary focus. The main focus for establishments with a liquor-primary licence is hospitality, entertainment or beverage service.
3. Increased responsibility is being placed on owners, managers and staff to provide responsible beverage service.

Section 2

Check your knowledge (p.15)

1. d 2. a 3. a

Case studies (p.28)

Situation 1

Answer: Intoxicated

Reasons: Poor eye-hand coordination (spilling the wine), changes in speech (speech volume and laughter are too loud for the situation), acts inappropriately (calls the busboy "darlin").

Situation 2

Answer: Sober

Reasons: They are cutting back on the amount of beer they are drinking, they are ordering food, and their behaviour is appropriate for the situation.

Quick review (p.30)

1. T 2. F 3. T 4. F 5. F

Section 3

Check your knowledge (p.31)

1. b 2. b 3. d 4. d

Duty of care test cases (p.40)

Situation 1

Answer: Effective

Reasons: The valet was firm but not judgmental. He was empathetic and expressed concern for the guest's safety, pointed out his responsibility to call the police when the guest insisted on driving, and arranged for alternate transportation home.

Situation 2

Answer: Effective

Reasons: Cindy correctly informed Larry about the signs of intoxication exhibited by the guest. Larry asked Cindy to alert Marsha, the manager, about the situation. Larry's statements were not judgmental when refusing alcohol service to the guest, and he was also empathetic and quoted the law when denying service. Cindy called the police and moved other guests away from the situation when the guest became violent. Marsha intervened and provided support.

Quick review (p.43)

1. F 2. T 3. F 4. F 5. F

Section 4

Check your knowledge (p.44)

1. b 2. c 3. b

Case study (p.58)

What are the steps Brian took to verify the ID?

Answer: Brian felt the ID for possible alterations; he observed all the information on the ID; and he asked the man for his street address, date of birth and his

height to confirm the information on the ID. He also asked the man for his signature so the ID could be verified.

How did teamwork help in discovering the fake ID?

Answer: The employee observed suspicious behaviour and language in the parking lot as he was coming to work and passed the information on to Brian the doorman.

What would you do? (p.61)

What should the clerk do next?

Answer: Log the incident in the logbook. The clerk could also have asked someone check the parking lot again to make sure that the minors were not approaching someone else. If minors continue to ask patrons to purchase alcohol, phone local police for assistance.

Case study (p.69)

How should the maître d', Robert, handle this situation?

Possible answer: Robert should privately and discreetly reinforce to the patrons that legally the establishment is responsible to discontinue service if a patron reaches a state of intoxication. He should explain that he is reducing the establishment's risk of liability and offer to call the customer a taxi.

How was teamwork effective in the intervention?

Possible answer: The busboy spoke to Jennifer regarding his concern. Jennifer communicated the situation to Robert. As the backup, Robert intervened when Jennifer needed assistance.

Quick review (p.75)

1. Three ways to identify fraudulent ID are to check the photo, feel the document and ask for confirmation of details.
2. Two types of activities indicating that customers at a liquor store may be purchasing liquor for minors are that the minors are hanging out in groups near the store and adult customers are talking to them outside.
3. Three tactics to create a pleasant and professional environment are through door control, identifying problem customers and creating a friendly, courteous and knowledgeable staff image.
4. An effective way to refuse service to an intoxicated customer is to privately and discreetly explain to the guest that he or she is intoxicated and will have to leave the premises, as intoxicated people may not legally remain on licensed premises. Also, inform them about your responsibilities to ensure both their safety and the safety of others, and say that you will assist them in getting home by calling a taxi or arranging for someone to drive them.
5. In an incident log it is important to log the time, place, date, nature of the incident, description of the parties involved, action taken, witnesses and any other pertinent information.
6. Co-use of alcohol and cannabis results in a more intensified state of intoxication, which means greater risk to the patron themselves and others.



Appendix B: Glossary

Alternative transportation is finding another way home for an intoxicated patron who drove to your establishment in order to prevent him or her from driving drunk. Alternatives could include a taxi, a ride home with a sober friend or calling someone to pick them up.

Approved Screening Device (ASD) is a breath alcohol testing device that provides an accurate scientific measurement of BAC levels in the human body. Many law enforcement agencies use these breath alcohol testing devices to determine a person's BAC.

Binge drinking is the consumption of an excessive amount of alcohol in a short period of time.

Blood alcohol concentration or **BAC** is the amount of alcohol in the bloodstream, measured in milligrams percent or mg%.

Cannabis Control and Licensing Act deals with licensing requirements, application processes and law enforcement for retail non-medical cannabis establishments. The act also deals with public consumption and personal possession of cannabis.

Co-use is the consumption of alcohol concurrently with other intoxicants, such as cannabis.

Designated Driver Program is a program offering free or discounted food and/or non-alcoholic drinks for the person in a group who has agreed to drive and thus not drink any alcohol.

Duty of care, in the context of alcohol sales and service, means that the licensee and servers have a legal obligation to take all reasonable steps to protect patrons and the public from harm that may be associated with the activity of drinking whether that harm occurs on or off the premises.

House policy is a comprehensive set of policies for responsible beverage service specially created for an establishment by the manager or licensee.

Impairment is the condition of diminished physical or mental faculties as a result of consuming alcohol and/or drugs and is legally defined for the purposes of operating a motor vehicle. Objective evidence of impairment of an accused driver comes mainly from the observations of law enforcement officers.

Incident log is a daily record of any event that has occurred in an establishment that could result in future legal action.

Intervention is when a server, manager or licensee ensures that service to an intoxicated patron is discontinued, and someone on staff ensures that the patron gets home safely.

Intoxication is an observed state of diminished physical or mental faculties as a result of consuming alcohol.

Licensed establishment is a business that is licensed under the Liquor Control and Licensing Act to sell alcohol.

Licensee is a person or entity who holds a licence to sell alcoholic beverages.

Licensed Premises Check (LPC) form is completed by a police officer who finds a licensee not complying with the law. The officer will record the violation and send a copy to the Liquor and Cannabis Regulation Branch, which may wish to investigate.

Liquor and Cannabis Regulation Branch

administers the Liquor Control and Licensing Act and Regulation, and the Cannabis Control and Licensing Act and Regulation in relation to retail non-medical cannabis establishments.

Liquor Control and Licensing Act and Regulation

deals with licensing requirements, fees, application processes, entertainment, inspections and law enforcement for licensed establishments. It is designed to maintain the orderly and responsible operation of licensed establishments.

Minor is any person younger than 19 years of age.

Responsible beverage service (RBS)

are programs designed to encourage a responsible, caring, and professional approach to the serving of alcohol in order to reduce alcohol service-related problems.

Serving It Right is BC's responsible beverage service program.

Standard drink (SD) is a drink that is the equivalent of 0.6 ounces of 100% alcohol.

THC (Tetrahydrocannabinol) is the active ingredient in cannabis, measured in nanograms (ng) per milliliter in the bloodstream.

Third party liability is the legal requirement of a licensee or staff member to pay damages to a patron or to a person who suffers injury, loss or damage, as a result of the actions of an intoxicated or violent patron. The payment of damages is the result of a court's decision that the licensee or staff member failed to take reasonable care towards the safety of the injured person.



Appendix C: Website links & other resources

Section 1 — Getting started

If you have questions regarding how to apply for a Liquor Licence, contact:

Liquor and Cannabis Regulation Branch
400-645 Tye Road, Victoria, BC V9A 6X5 Phone:
1-866-209-2111
Web: www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/bc-liquor-control-and-licensing-contact-us

If you have questions regarding a Special Event Permit, contact:

Licensing Administrator
Special Event Permits
Liquor and Cannabis Regulation Branch
400-645 Tye Road, Victoria, BC V9A 6X5 Phone:
1-855-999-7656
Web: <https://specialevents.bcldb.com>

Or contact any regional office of the Liquor and Cannabis Regulation Branch. A list of offices is available on the LCRB website: www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/bc-liquor-control-compliance-and-enforcement/bc-liquor-control-regional-offices

You can now apply for a SEP, pay fees and get your licence all completely online:
<https://specialevents.bcldb.com>

BC Liquor Stores no longer issue SEPs. Although the process is now entirely online, you can still visit BC Liquor Stores for help with selecting great products for your event.

For more information about the Serving It Right program, contact:

Serving It Right
Suite 450, One Bentall Centre
505 Burrard Street, Box 59
Vancouver, BC V7X 1M3
Phone Number: 604-633-9798
Fax Number: 604-633-9796
Web: www.servingitright.com
Email: info@servingitright.com
Office hours: Mon to Fri, 8:00 a.m to 5:00 p.m.

For further information about alcohol, substance abuse, low-risk drinking guidelines and a chart on drinking assessment, visit The Canadian Institute for Substance Use Research (CISUR), formerly CARBC, at:

www.uvic.ca/research/centres/cisur

Section 3 — Alcohol and the law

For a copy of the BC Liquor Control and Licensing Act and Regulation, visit:

www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-law-policy/bc-liquor-legislation-regulation

For a copy of the BC Cannabis Control and Licensing Act and Regulation, visit:

www2.gov.bc.ca/gov/content/safety/public-safety/cannabis

For a copy of the BC Occupier's Liability Act, visit:

www.bclaws.ca/civix/document/id/complete/statreg/96337_01

For licence applications and fees, visit:

www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/bc-liquor-licensing-forms

For a copy of the relevant licensee terms and conditions handbooks, visit:

www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/publications-resources/liquor-licensee-terms-and-conditions-handbooks

For a copy of the Human Rights Act, visit:

<http://laws.justice.gc.ca>

Click: either **English** or **French**

Click: **Consolidated Acts**

Click: the letter **C**

Click: **Canadian Human Rights Act**

For information on enforcement decisions taken by the Liquor and Cannabis Regulation Branch, visit:

www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/bc-liquor-control-compliance-and-enforcement

Section 4 — Implementing responsible beverage service

An ID checking guide that provides up-to-date information on all ID in North America is available for purchase at:

www.driverslicenseguide.com

ID requirements and helpful ID checking tips can be found on the Liquor and Cannabis Regulation Branch website:

www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/publications-resources/liquor-licensee-terms-and-conditions-handbooks

Food Primary

Terms and Conditions Handbook:

www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/guides-and-manuals/foodprimary-handbook.pdf

Liquor Primary

Terms and Conditions Handbook:

www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/guides-and-manuals/liquorprimary-handbook.pdf

For more information on drinking and driving prevention, visit:

www.madd.ca

For more information on the effects of co-use of alcohol and cannabis, visit:

www.canada.ca/en/health-canada/services/drugs-medication/cannabis/health-effects/impairment-safety-risk.html

For more information on public transit and route information, visit:

www.bctransit.com
www.translink.ca

For information on Operation Red Nose, a volunteer organization to prevent drinking and driving, visit:

operationrednose.com

To obtain the ICBC Special Event Permit Kit free of charge, go to:

www.icbc.com/road-safety/crashes-happen/impaired-driving/Pages/special-event-permit-kit.aspx

For information on the Get Home Safe Program offered by BC Liquor stores, visit:

www.bcldb.com

Click: **Corporate Social Responsibility >**

Get Home Safe

Other resources

Alcohol-related statistics from BC Ministry of Health, and Centre for Addictions Research of BC.

The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research

www.nap.edu/read/24625/chapter/1

“Canada’s Low-Risk Alcohol Drinking Guidelines.” Canadian Centre on Substance Abuse.

www.ccsa.ca

“Cannabis health effects”. Available from:

www.canada.ca/en/services/health/campaigns/cannabis/health-effects.html

“The New Cannabis Landscape 2018”. Continuing Legal Education Society of British Columbia.

www.cle.bc.ca/cannabis2018

“Cannabis Licensing”. Available from:

<https://justice.gov.bc.ca/cannabislicensing/policy-document/eligibility>



Appendix D: Canada's low-risk alcohol drinking guidelines

Drinking is a personal choice. If you choose to drink, these guidelines can help you decide when, where, why and how.

Low-risk drinking helps to promote a culture of moderation and supports healthy lifestyles.

Safer drinking tips

- Set limits for yourself and stick to them.
- Drink slowly. Have no more than 2 drinks in any 3 hours.
- For every drink of alcohol, have one non-alcoholic drink.
- Eat before and while you are drinking.
- Always consider your age, body weight and health problems that might suggest lower limits.
- While drinking may provide health benefits for certain groups of people, do not start to drink or increase your drinking for health benefits.

For these guidelines, "a drink" means:

- Beer 341 ml (12 oz.) 5% alcohol content
- Cider/Cooler 341 ml (12 oz.) 5% alcohol content
- Wine 142 ml (5 oz.) 12% alcohol content
- Distilled Alcohol (rye, gin, rum, etc.) 43 ml (1.5 oz.) 40% alcohol content

Your limits

Reduce your long-term health risks by drinking no more than:

- 10 drinks a week for women, with no more than 2 drinks a day most days
- 15 drinks a week for men, with no more than 3 drinks a day most days

Plan non-drinking days every week to avoid developing a habit.

Special occasions

Reduce your risk of injury and harm by drinking no more than 3 drinks (for women) or 4 drinks (for men) on any single occasion.

Plan to drink in a safe environment. Stay within the weekly limits outlined above in **Your limits**.

When zero's the limit

Do not drink when you are:

- driving a vehicle or using machinery and tools
- taking medicine or other drugs that interact with alcohol
- doing any kind of dangerous physical activity
- living with mental or physical health problems
- living with alcohol dependence
- pregnant or planning to be pregnant
- responsible for the safety of others
- making important decisions

Pregnant? Zero is safest

If you are pregnant or planning to become pregnant, or about to breastfeed, the safest choice is to drink no alcohol at all.

Delay your drinking

Alcohol can harm the way the body and brain develop. Teens should speak with their parents about drinking. If they choose to drink, they should do so under parental guidance; never more than 1–2 drinks at a time, and never more than 1–2 times per week. They should plan ahead, follow local alcohol laws and consider the **Safer drinking tips** listed above.

Youth in their late teens to age 24 years should never exceed the daily and weekly limits outlined in **Your limits**.

Source: Canadian Centre on Substance Abuse

The Canadian Centre on Substance Abuse changes lives by bringing people and knowledge together to reduce the harm of alcohol and other drugs on society. We partner with public, private and non-governmental organizations to improve the health and safety of Canadians.

Visit the website to find out more: www.ccsa.ca



Appendix E: Blood alcohol concentration

	Time	1 Hour					2 Hours					3 Hours					4 Hours				
		Drinks	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Male	120 lbs	.01	.04	.07	.10	.13	.00	.03	.06	.08	.11	.00	.01	.04	.07	.10	.00	.00	.03	.05	.08
	130 lbs	.01	.04	.07	.10	.12	.00	.03	.05	.08	.11	.00	.01	.04	.07	.09	.00	.00	.02	.05	.07
	140 lbs	.01	.04	.06	.09	.12	.00	.02	.04	.07	.10	.00	.01	.03	.06	.09	.00	.00	.02	.04	.07
	150 lbs	.01	.04	.06	.09	.11	.00	.02	.04	.07	.10	.00	.01	.03	.06	.08	.00	.00	.02	.04	.07
	160 lbs	.01	.03	.06	.08	.11	.00	.02	.04	.07	.09	.00	.00	.03	.05	.07	.00	.00	.01	.04	.06
	170 lbs	.01	.03	.06	.08	.10	.00	.02	.04	.07	.09	.00	.00	.03	.05	.07	.00	.00	.01	.04	.06
	180 lbs	.01	.03	.05	.07	.10	.00	.02	.04	.06	.09	.00	.00	.02	.04	.07	.00	.00	.01	.03	.06
	190 lbs	.01	.03	.05	.07	.10	.00	.01	.04	.06	.08	.00	.00	.02	.04	.07	.00	.00	.01	.03	.05
	200 lbs	.01	.03	.04	.07	.09	.00	.01	.03	.06	.07	.00	.00	.02	.04	.06	.00	.00	.00	.03	.04
	210 lbs	.01	.03	.04	.07	.09	.00	.01	.03	.05	.07	.00	.00	.02	.04	.06	.00	.00	.00	.02	.04
	220 lbs	.01	.03	.04	.07	.09	.00	.01	.03	.05	.07	.00	.00	.02	.04	.06	.00	.00	.00	.02	.04
	230 lbs	.00	.02	.04	.06	.08	.00	.01	.03	.04	.07	.00	.00	.01	.03	.05	.00	.00	.00	.02	.04
	240 lbs	.00	.02	.04	.06	.08	.00	.01	.03	.04	.07	.00	.00	.01	.03	.05	.00	.00	.00	.02	.04
	250 lbs	.00	.02	.04	.06	.07	.00	.01	.03	.04	.06	.00	.00	.01	.03	.04	.00	.00	.00	.01	.03
	260 lbs	.00	.02	.04	.06	.07	.00	.01	.02	.04	.06	.00	.00	.01	.03	.04	.00	.00	.00	.01	.03
270 lbs	.00	.02	.04	.06	.07	.00	.01	.02	.04	.06	.00	.00	.01	.03	.04	.00	.00	.00	.01	.03	

Important information in using this Blood Alcohol Concentration (BAC) indicator

This chart is provided for information only, as a means to estimate blood alcohol concentration (BAC). Many factors can affect a person's BAC, including amount of alcohol consumed, rate of consumption, food consumption, and factors specific to each person such as gender, age, weight, height and metabolism.

≥ .05 Impaired

As per British Columbia's Motor Vehicle Act

> .08 Impaired

As per Criminal Code of Canada

Please note the following:

- Actual BAC may differ from the numbers on this chart.
- Impairment begins with one drink.
- It may take up to 30 minutes after the last drink of alcohol for a person to reach the highest BAC level.
- Mixing energy drinks, drugs or other medications with alcohol can increase a person's level of impairment.
- If a person's BAC is over .08, the person is considered impaired under the Criminal Code of Canada.
- If a person's BAC is .05 or over, the person is considered impaired under British Columbia's Motor Vehicle Act.
- Different drinks contain different concentrations of alcohol.
- For the purposes of this BAC indicator, one drink is approximately: 1.5 oz. Hard Liquor (40%) or 5 oz. Wine (12%) or 12 oz. Beer (5%)

	Time	1 Hour					2 Hours					3 Hours					4 Hours				
		Drinks	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4
Female	90 lbs	.03	.07	.11	.15	.20	.01	.05	.10	.14	.18	.00	.04	.08	.12	.17	.00	.02	.07	.11	.15
	100 lbs	.03	.07	.11	.15	.19	.01	.05	.09	.13	.17	.00	.04	.07	.12	.16	.00	.02	.06	.10	.14
	110 lbs	.02	.06	.10	.14	.18	.01	.04	.09	.12	.16	.00	.03	.07	.11	.15	.00	.02	.06	.09	.13
	120 lbs	.02	.06	.10	.13	.17	.01	.04	.08	.12	.16	.00	.03	.07	.10	.14	.00	.01	.05	.09	.13
	130 lbs	.02	.06	.09	.13	.16	.01	.04	.07	.11	.15	.00	.03	.06	.10	.13	.00	.01	.04	.08	.12
	140 lbs	.02	.05	.09	.12	.16	.00	.04	.07	.11	.14	.00	.02	.06	.09	.13	.00	.01	.04	.07	.11
	150 lbs	.02	.05	.08	.12	.15	.00	.04	.07	.10	.14	.00	.02	.05	.09	.12	.00	.01	.04	.07	.11
	160 lbs	.02	.04	.08	.11	.15	.00	.03	.07	.10	.13	.00	.02	.05	.08	.12	.00	.00	.04	.07	.10
	170 lbs	.02	.04	.07	.11	.14	.00	.03	.06	.09	.13	.00	.02	.04	.07	.11	.00	.00	.03	.06	.10
	180 lbs	.02	.04	.07	.11	.14	.00	.03	.06	.09	.12	.00	.02	.04	.07	.11	.00	.00	.03	.06	.09
	190 lbs	.01	.04	.07	.10	.13	.00	.03	.06	.09	.12	.00	.01	.04	.07	.10	.00	.00	.03	.06	.09
	200 lbs	.01	.04	.07	.10	.13	.00	.03	.06	.08	.11	.00	.01	.04	.07	.10	.00	.00	.03	.05	.08
	210 lbs	.01	.04	.07	.10	.12	.00	.03	.05	.08	.11	.00	.01	.04	.07	.09	.00	.00	.02	.05	.07
	220 lbs	.01	.04	.07	.09	.12	.00	.02	.05	.07	.10	.00	.01	.04	.06	.09	.00	.00	.02	.04	.07
	230 lbs	.01	.04	.06	.09	.12	.00	.02	.04	.07	.10	.00	.01	.03	.06	.09	.00	.00	.02	.04	.07
240 lbs	.01	.04	.06	.09	.11	.00	.02	.04	.07	.10	.00	.01	.03	.06	.08	.00	.00	.02	.04	.07	



Appendix F: Legal case studies

Question: Does an establishment owe a duty of care to a departing intoxicated patron?

The case: Jordan House Hotel Ltd. v. Menow (1973, Supreme Court of Canada)

The circumstances: Menow had a history of becoming drunk and obnoxious at the defendant's hotel. He had previously been banned. After the ban was lifted, the hotel employees were instructed not to serve Menow unless he was accompanied by a responsible person. On the night of the accident, Menow arrived with two other people, both of whom left early. From 7:00 p.m. to 10:00 p.m. Menow drank alone, becoming visibly intoxicated. When he bothered other patrons, staff ejected him. Menow was given a ride part of the way home and continued on foot, staggering along the highway, where he was hit by a car. Menow sued both the driver and the hotel. He claimed that the hotel had an obligation to take reasonable care to protect him, in his intoxicated condition, from personal injury.

The decision: The Supreme Court of Canada unanimously held the hotel liable. Jordan House staff had special knowledge of Menow's lack of responsibility when impaired, had violated provincial law in serving him when he was intoxicated, and had ejected him while knowing he had no safe way of getting home. The court concluded that the hotel's staff should have taken steps to protect Menow. Options included allowing him to spend the night in one of their rooms, calling the police, or arranging safe transport home. Menow, the hotel and the driver were each held one-third at fault.

The lesson: In this landmark decision, the Supreme Court of Canada recognized that a licensed establishment owes a duty to protect intoxicated persons from injuries they may suffer after leaving the premises.

Question: Does the duty to protect patrons from their own intoxication extend to third parties off the premises whom the patron may injure?

The case: Hague v. Billings (1993, Ontario Court of Appeal)

The circumstances: Billings was served one beer at the Oasis Tavern but was refused further service because of obvious signs of intoxication. He refused efforts of Oasis staff to have him take a taxi and instead drove away in his own vehicle. He proceeded to the Ship and Shore Hotel, where he was served in spite of his obvious intoxication. After leaving the Ship and Shore, Billings drove his motor vehicle on the wrong side of the road and collided with a vehicle, injuring the plaintiffs and killing their mother. The plaintiffs sued Billings, the Oasis and the Ship and Shore.

The decision: The court held that the staff of the Oasis had a positive duty to call police since they knew Billings was driving in an intoxicated state. However, there was no liability for Oasis, because the court was not satisfied that calling the police would have affected the outcome. Ship and Shore, however, was liable. Not only did staff there continue serving Billings when he was clearly intoxicated, but they failed to take steps to see that he did not drive away from the premises.

The lesson: The duty of care established by the Supreme Court of Canada in Jordan House v. Menow has been extended by the courts to include a duty to protect innocent third parties from harm inflicted by an intoxicated patron who leaves the premises. The most common scenario that arises is when an intoxicated patron drives from the premises and causes an accident.

The lesson: The duty to take reasonable steps to prevent harm from over-service of alcohol extends

not just to the person being served but to the public at large—and in particular, other users of the road.

The case: Donaldson v. John Doe
(2009, B.C. Court of Appeal)

The circumstances: Donaldson and the defendant Briggs attended an Oktoberfest event at the Commodore. The Commodore gave patrons of the event glass beer mugs as a souvenir. Donaldson left the Commodore with his friends at the end of the event. As Donaldson walked along Granville Street, he was struck in the face with a glass mug wielded by Briggs.

The decision: The lawsuit was dismissed because the plaintiff did not adduce the necessary evidence to prove his claim against the patron or the licensee. However, the court confirmed the basic principle that an establishment has a duty to protect third parties from harm caused by intoxicated patrons and found that such a duty existed in these circumstances.

The lesson: The licensee's duty is not restricted to the protection of third parties from intoxicated patrons who may injure them through the use of motor vehicles. Rather, it encompasses other harm that may be occasioned by intoxicated patrons after they leave the premises.

Question: When does the duty to protect patrons and the public end?

The case: Salm v. Coyle
(2004, B.C. Supreme Court)

The circumstances: Coyle was drinking with some friends at a bar. The group left together and were picked up by another friend and taken to Coyle's home. At her home, Coyle got the keys to a vehicle, went driving and was involved in an accident.

The decision: The court held that there was no link between any breach by the licensee of its duty of care and the subsequent accident. The licensee's duty was to take reasonable steps to see that Coyle got home safely, which she did. What happened after that could not be the responsibility of the licensee.

The lesson: The lesson to take from this case is, generally, even if a person is over-served the duty to that person and to the public ends once that person manages to get home safely.

Caution: the law is not completely clear on this issue as the case below demonstrates.

The case: Holton v. McKinnon
(2005, B.C. Supreme Court)

The circumstances: Holton, McKinnon and another friend drank at Holton's home. They then drove to two establishments where they continued drinking and drove back to Holton's home. Then the three decided to drive to a party and were involved in a car accident where Holton sustained serious injuries.

The decision: Because McKinnon never arrived safely at his own home, the duty owed by the two licensees to those who might be harmed by McKinnon's driving (including his passenger, Holton) did not end.

The lesson: If a person becomes intoxicated at your establishment, or an intoxicated person enters your establishment and you continue to serve that person alcohol, you are exposed to liability if that person causes harm to him or herself or to members of the public. That exposure may not end until that person gets home or to some safe place where they can sober up.

The case: Widdowson v. Rockwell
(2017, B.C. Supreme Court)

The circumstances: Rockwell and three friends attended a downtown Vancouver pub for drinks after work. After consuming 5-6 drinks, Rockwell drove himself and one friend, Sahanovitch, home from the pub. The two consumed more alcohol at Rockwell's home. Rockwell then got back behind the wheel to drive Sahanovitch home. On the way, Rockwell lost control of his vehicle and hit Widdowson, a pedestrian walking on the sidewalk. Widdowson sustained a serious brain injury as a result of the accident.

The decision: Rockwell was overserved and no positive steps were taken by the pub's staff to see that Rockwell had a safe way home. The pub's breach of duty led to Rockwell being substantially impaired when he left the pub and got into his vehicle. The pub's duty of care was not extinguished simply because Rockwell spent "a few minutes" at home before again venturing out onto the road.

The lesson: In certain cases, the liquor serving establishment's duty can continue even after the patron has arrived at home. In this case, the court found that the intoxicated patron had not been delivered into the hands of a sober and responsible person. The fact that the patron had spent "a few minutes" at home before getting back into his vehicle did not extinguish the establishment's liability. This case reinforces the importance of a staff's duty to take steps to see that an intoxicated patron does not leave the premises without a safe way home.

Question: Does lack of knowledge of intoxication absolve an establishment from liability?

The case: Picka v. Porter and the Royal Canadian Legion (1980, Ontario Court of Appeal)

The circumstances: Porter ran a stop sign and hit the plaintiff's car, killing three people and injuring two others. Based on his blood alcohol level, it was established that Porter had consumed approximately 10 bottles of beer over a five-hour period at the Legion. The beer was served from behind a partition, in circumstances in which the bartender could not observe the patrons' condition or determine how much alcohol any patron had consumed. The plaintiffs sued both Porter and the Legion.

The decision: The Legion contended that since the bartender was unaware of Porter's intoxicated condition, it could not be held liable. The court rejected this argument, concluding that a licensee could not absolve itself of liability by adopting serving practices that made it difficult to determine a patron's sobriety. The Legion was held liable even though the bartender had no actual knowledge of his intoxication and had not ejected him. Porter was held 85% at fault and the Legion was held 15% at fault.

The lesson: A licensee must conduct its business in a way that allows it to monitor its patrons' consumption and behaviour so that the licensee knows when to suspend service and/or make arrangements to get an at-risk patron home safely.

Question: How far does an establishment have to go to ensure an intoxicated patron has safe passage home?

The case: Neufeld v. Foster (1999, B.C. Supreme Court)

The circumstances: The licensee significantly over-served a group of patrons, who left at closing time, very intoxicated. The bar asked for the keys of the defendant, Foster, but he told them he'd given them to someone else. Staff did not ask the other patrons for their keys. They assisted one of the patrons in calling a taxi. The group left the bar but did not get in the taxi. Instead, they got into Foster's car and were involved in a motor vehicle accident.

The decision: The licensee was liable for over-serving the patrons to the point where they were obviously intoxicated and then not ensuring that they got in a taxi. Because the patrons were the last customers to leave for the night, it would not have been onerous for the staff to take the patrons' keys and/or follow them outside to see that they got into a taxi.

The lesson: The degree of over-service will increase the burden on the licensee to ensure that no harm results. If a licensee permits a patron to become extremely intoxicated then the court may hold the licensee to a higher standard in deciding whether it did enough to prevent the patron from driving.

Question: How do the courts allocate fault between drunk drivers and bars?

The case: Lum v. McLintock (1997, B.C. Supreme Court)

The circumstances: A patron spent an afternoon at the bar of a golf club where he was a regular customer. He became very intoxicated. The server knew the patron, knew that he was driving, knew that he was intoxicated and even walked him out to his car. The patron drove off and hit a cyclist causing serious injuries.

The decision: The conduct of the server was found to have been exceptionally negligent and the licensee was apportioned 30% of the blame (with the 60% to the patron and 10% to the plaintiff cyclist).

The case: Laface v. McWilliams (2005, B.C. Supreme Court)

The circumstances: A group of patrons were drinking in a pub, and one of the group was going to drive away in an intoxicated state. One of his associates tried to persuade him not to drive, but to no avail. The staff of the pub were alerted to the situation but did nothing. The intoxicated patron drove away from the premises and into a crowd of pedestrians gathered on or near the roadway.

The decision: The pub was found to be 50% liable. It had "flagrantly ignored its responsibilities as a commercial host." The pub security staff were notified by another patron that the defendant intended to drive, and they had failed to take any steps to intervene. The patron driver was also held 50% responsible.

The case: Francescucci v. Gilker
(1996, Ontario Court of Appeal)

The circumstances: A patron had become extremely intoxicated at a restaurant. Staff members picked him up, carried him out to his car, put him in it, and threw the keys on his lap. He drove away a short while later and injured someone in an accident.

The decision: At trial, the jury apportioned 78% of the blame to the restaurant and 22% to the patron. The Court found that the restaurant's conduct was deliberate and reckless.

The lesson: The lesson to take from these cases is that the poorer the job a licensee does of living up to its duty to prevent harm resulting from over-service, the greater the percentage of fault that will be assigned to the licensee in the event someone is injured.

The case: Hansen v. Sulyma (2013, B.C. Court of Appeal)

The circumstances: Over 4-5 hours at the tavern, the driver ran up a tab in excess of \$100 (including some drinks purchased for others). It did not include food. He consumed more than 6 double rye drinks over that time and his BAC was 147-167 mg% at the time of the accident and a patron offered to pay for a room for the driver, indicating obvious signs of impairment. The driver left the pub and collided with another vehicle that had run out of gas and had pulled over to the side of a dark rural road without activating its flashers. A passenger in that vehicle was severely injured.

The decision: Taking into account the relative blameworthiness of the defendants, 20% of the fault was apportioned to the tavern, 70% to the intoxicated driver, and 10% to the driver of the parked vehicle.

The lesson: While each case of commercial host negligence must be assessed on its particular facts, this decision indicates that the fault apportioned to commercial hosts, even in the face of aggravating factors and significant over service, most typically falls in the range of 20%, and that the majority of fault will be apportioned to the intoxicated driver. That said, licensees would do well to remember that if an intoxicated driver is underinsured, the licensee could well be required to pay more than its proportionate share to make up the difference.

Question: Does an establishment have to take special care to protect intoxicated patrons from potential dangers on the premises?

The case: Niblock v. Pacific National Exhibition
(1981, B.C. Supreme Court)

The circumstances: An intoxicated patron fell over a low railing on a high staircase and was seriously injured. The railing was lower than what was called for in the applicable building bylaw. The P.N.E. argued that there had been no previous problems with the railings and that the accident was due solely to the plaintiff's self-induced intoxication.

The decision: The P.N.E. was liable. The court found that the low railing was more dangerous than no railing at all because it could cause a trip and a head-first fall. The P.N.E. had to anticipate that many of its attendees would be careless because of the festive atmosphere and some could be expected to be drinking. In holding the P.N.E. liable, the court emphasized that the premises had to be reasonably safe for not only the sober but also for the intoxicated.

The lesson: The duty to prevent harm from over-service of alcohol is combined with a duty to make the premises reasonably safe for members of the public that will be entering those premises. Conditions that might not be a hazard to a well balanced, sober person may indeed pose a hazard to someone who has had too much to drink.

Question: Can an establishment be held responsible for injuries that occur due to activities carried out on the premises by intoxicated patrons?

The case: Jacobson v. Kinsmen Club of Nanaimo (1976, B.C. Supreme Court)

The circumstances: The Kinsmen held a beer party in an arena. Several uninhibited patrons entertained the crowd by climbing the beams that supported the roof. One of the partiers fell from the beam onto the plaintiff. The daredevil emerged unscathed and immediately left the arena. The plaintiff, who was seriously injured, sued the Kinsmen Club under the British Columbia Occupiers Liability Act.

The decision: The court decided that the first two incidents of beam climbing were sufficient to warn the defendant of the hazards posed by the activity. By the time the plaintiff was injured, there was a duty on the defendant to “take steps to prohibit or prevent recurrences of beam climbing.” In failing to take such action, the staff breached their obligations under the Act, which says that an occupier may be held liable for permitting activities on the premises that pose a foreseeable risk of injury.

The case: Crocker v. Sundance Northwest Resorts Ltd. (1988, Supreme Court of Canada)

The circumstances: A patron of a ski resort who had entered a tubing race was seriously injured in an accident on the hill. The patron had consumed a large amount of his own alcohol on the day of the race and was also served several drinks by the resort while wearing markings that identified him as a contestant. The patron was visibly drunk at the time of the race. The manager of the resort suggested to the patron that he not take part in the race due to his condition. The patron insisted, however, and the manager made no further efforts to stop him.

The decision: The resort had set up an inherently dangerous competition during which it served alcohol. That triggered a special relationship between itself and its guests. This relationship gave rise to a duty to take all reasonable steps to ensure that no one participate while intoxicated.

The lesson: The lesson to take from these cases is that a licensee must take care to see that conduct on the premises does not result in harm to patrons. The service of alcohol may cause some patrons to behave in a reckless manner (such as in the Kinsmen case). In those cases, the licensee’s duty is to prevent reckless activity where it could reasonably bring harm to patrons. With respect to activities organized by the licensee, care must be taken to see that such activities are not hazardous or, if they carry some risk of injury, that intoxicated patrons are not allowed to participate.

Question: When can an establishment be held responsible for violence committed by a patron on the premises?

The case: Greenslade v. Hurley
(1991, B.C. Supreme Court)

The circumstances: A guest was injured in an unprovoked assault by an intoxicated female patron who had earlier been confrontational toward the guest and her group of friends. The plaintiff had asked the bar staff to eject the offending drinker, or at least to stop serving her alcohol. The staff continued service in spite of the patron's intoxication and her aggressive behaviour.

The decision: The bar was found to have breached its duty of care to the plaintiff and was found liable for the plaintiff's injuries.

The case: Petersen v. Stadnyk
(2003, B.C. Supreme Court)

The circumstances: A regular patron with no known propensity for violence assaulted a regular patron at a licensed restaurant. Both patrons had been at the restaurant—which featured a live band and a prominent bar—for several hours before the incident occurred.

The decision: The court held that the act of violence was not foreseeable and that the defendant restaurant was not liable. The court also held that the standard of care of a pub or bar would ordinarily be higher than for a restaurant, because the risk of violence at a liquor-primary establishment is generally greater.

The lesson: Where a patron's conduct indicates that he or she is likely to do harm to someone else, the licensee's duty is to see that the patron is removed from the premises as soon as possible. If the licensee fails to do that and the patron becomes violent, the licensee may be liable for the injuries inflicted. On the other hand, if a patron suddenly becomes violent and there were no warning signs that this was about to occur, the licensee will probably not be liable for the injuries of other patrons.

The case: Hartley v. RCM Management Ltd.
(2010, B.C. Supreme Court)

The circumstances: The plaintiff was at a nightclub and one of his friends accidentally bumped into another patron. The two then began to push and yell at each other in a forceful and aggressive manner. This behaviour went on for at least two minutes. The plaintiff's friend was eventually struck by a bottle so the plaintiff intervened to assist his friend. The plaintiff was then struck and injured by another unidentified patron.

The decision: The court held that because an altercation involving yelling and forceful pushing was underway for more than two minutes before the plaintiff was injured, the nightclub staff should have been aware that an outbreak of violence was likely. The failure of the security staff to intervene and break up the altercation before it escalated was a breach of the nightclub's obligations under the Occupiers' Liability Act.

The lesson: If a commercial host has reason to believe that an assault is imminent or that a fight is underway, then there is a general obligation to

take reasonable steps to intervene and prevent harm to patrons. However, some courts have noted that bar staff are not obliged to risk injury to themselves by attempting to break up a fight that has gone out of control.

Question: When is an establishment liable for the use of excessive force by staff?

The case: Miller v. Loughheed Ventures Ltd. (1989, B.C. Supreme Court)

The circumstances: A bar employee heard the sound of breaking glass in the parking lot and approached the plaintiff to see whether he had stolen a mug. According to the written policy of the bar, the employee's duties included ensuring that patrons did not take glasses or drinks out of the bar. The employee lost control and viciously assaulted the patron. The patron sued the bar, claiming that the bar was vicariously liable for the employee's conduct.

The decision: The court found the bar liable on the basis that, in initially approaching the patron, the employee was discharging his duties as an employee. Therefore, the beating that followed was within the scope of the employee's duties, and the bar was therefore responsible for them. In short, when an employee uses more force than is necessary in ejecting or controlling the activities of a patron, both the employee and the establishment may be held liable.

The lesson: It may be necessary at times to physically remove patrons from the premises or physically intervene to prevent patrons from injuring each other. However, when an employee uses more force than is necessary in ejecting or controlling the activities of a

patron, both the employee and the establishment may be held liable.

The case: Montgomery v. Black (1989, B.C. Supreme Court)

The circumstances: A bar patron, who was known by staff to be a doorman at another club, closely observed bar staff eject the plaintiff from the premises. The patron then actively participated in securing the doors to prevent the plaintiff from re-entering. When the plaintiff tried to come back in, the staff and the patron beat him. The bar manager had watched the entire event unfold and was aware of what was happening.

The decision: The court held that the patron had unjustifiably inserted himself into the bar's operation by assisting in the plaintiff's ejection. The plaintiff's injury at the hands of the patron occurred with the bar's full knowledge and acquiescence and therefore, the bar was liable for the patron's actions.

The lesson: If bar staff allow a patron to become involved in a forcible ejection, the bar will likely be responsible for the conduct of that patron. However, a bar will not be liable for injuries caused by a volunteer patron who acts, without warning, to stop an assault, and who uses only reasonable force in the process.

Question: Does an establishment have to monitor for use of intoxicants other than alcohol?

The case: 2009355 Ontario Inc. (Copperfields Restaurant) (Re) (2008, Ontario Alcohol and Gaming Commission of Ontario)

The circumstances: Undercover officers at a restaurant/bar smelled cannabis on a group of patrons. They also observed the patrons consuming cannabis outside on the restaurant's patio and appearing visibly intoxicated. Nevertheless, the patrons continued to be served alcohol through the night.

The decision: The commission found the restaurant liable on the basis that the undercover officers observed the patrons using cannabis outside on the restaurant's patio and smelled of cannabis, yet they continued to be served. The commission found that the establishment had a duty to monitor their patrons for intoxication through the premises and to oversee their activities as such, inside and outside the licensed areas.

The lesson: It may be necessary to monitor for patrons consuming other intoxicants such as cannabis when they leave the premises temporarily. This is important to assess for intoxication and whether to continue serving them.



Appendix G: Developing a house policy and some sample policies

Developing a house policy

Risk assessment

In developing house policies, always begin with a risk assessment. This will help to prevent problems and potential legal action. House policies will be different for each establishment based on its particular risks. Assess areas unique to your establishment that affect staff and guest safety. For example, what is your legal capacity, and are there certain times when you are at risk of overcrowding? What areas could be unsafe due to slippery floors or poor lighting? Do you regularly

get inherited drunks from the bar across the street? Is cannabis use common outside your premises? Is there a nearby cannabis store? Adapt your policies to focus on those areas of higher risk.

Identifying areas of need

The following suggestions will help you assess the policies in your establishment related to common areas of risk, and will help you to identify where further policies may need to be developed. While going through the questions, make note of any areas where you need to develop a policy or update your current one.

Does your establishment ...

Topic	Status ✓ = OK, NP = Need policy, UP = Update policy
Minors	
ID anyone who appears to be 19 years of age and under?	
Know how to identify acceptable forms of ID?	
Give staff guidelines on how to recognize and deal with false ID?	
Train staff in ways to refuse service to minors?	
Know how to identify and deal with customers who appear to be purchasing alcohol for minors?	
Alternative beverages	
Prohibit drink promotions that encourage excessive drinking?	
Have menus, promotions and specials that include a wide range of alcohol-free drinks?	
Encourage servers to actively promote non-alcoholic beverages (for example, are they evaluated on total beverage sales)?	

Topic	Status ✓ = OK, NP = Need policy, UP = Update policy
Offer and promote food	
Have low-cost or free snacks available for patrons?	
Offer reduced food prices during the late afternoon or evening?	
Have low-cost, full-meal daily specials that encourage eating?	
Monitor consumption	
Refuse service to intoxicated patrons?	
Promote the service of one standard drink at a time?	
Keep track of customers' intake, and ensure communication between various points of sale?	
Look out for customers who leave the establishment temporarily, for example, for use of cannabis?	
Assess guests as they arrive by looking out for slurred speech, staggering, obnoxious or unusual behaviors, or if they smell of cannabis?	
Work as a team to communicate a customer's condition during shift changes?	
Stop alcohol sales thirty minutes prior to closing time to prevent excessive drinking?	
Display our policy on over-service so it is visible to all patrons?	
Create a RBS environment	
Have a dress code for patrons? Staff?	
Provide entertainment diversions for patrons?	
Encourage a good male/female mix to increase socializing?	
Have a visible supervisor or manager on the floor at all times?	
Regularly check that there are no dark corners or dimly lit areas?	
Identify and address safety concerns that are unique to our premises?	
Promote our RBS policies to the community?	
Have a publicized designated driver program?	
Have a policy on staff wishing to drink on the premises after a shift?	

Topic	Status ✓ = OK, NP = Need policy, UP = Update policy
Monitor the door	
Have notices at the entrance regarding our policies for refusing entry?	
Assign a staff member to monitor the door and/or greet guests?	
Assign a staff member to monitor the door for guests who may be already impaired by cannabis?	
Inform staff of legal capacity and count the number of patrons to avoid overcrowding?	
Prohibit the use of excessive force to eject or deny entry to a patron?	
Inform staff of major public events in the area?	
Ensure that guests enter and exit using the same door?	
Train staff in the appropriate language to use to deny a guest entry?	
Manage the intoxicated guest	
Ensure a back-up team member is available to assist in handling an intoxicated customer?	
Train staff in effective ways to discontinue service?	
Have alternate transportation options at staff's fingertips and available to patrons?	
Train staff in when to call police?	
Train staff	
Involve all staff in RBS training?	
Provide all staff with a copy of house policy and have them sign off on it?	
Give staff guidelines for recognizing intoxication and potential co-use?	
Train staff on how to use an incident log?	
Promote teamwork amongst staff to help in RBS?	
Continually update staff on new or revised policies?	
Have regular, mandatory staff meetings to discuss policies and their enforcement?	

Topic	Status ✓ = OK, NP = Need policy, UP = Update policy
Safeguard premises	
Address all potential slip and trip hazards?	
Elevation changes (i.e. stairs, ramps) are clear and properly lit?	
Repair fixtures, furniture, doors, etc. that may pose hazard?	
Monitor consumption on dance floor areas and ensure spills are dealt with as quickly as possible?	
Monitor and clear snow and ice from exterior walkways and parking lot?	

Guidelines for writing policies

Now it is time to write your policies based on what you noted on the previous pages. Your success in promoting responsible beverage service will depend on how clearly your house policies are written and communicated to your staff. Here are some guidelines to consider before you start:

- Prepare a list of all the policies you think your establishment may need.
- Write policies and procedures that are positive, simple and easy to follow.
- Get staff input on policies on an ongoing basis.
- Refer to your incident log to alert you to any areas that may need to be reviewed.
- Develop policies that are realistic for the size, style and location of your establishment and that are specific to your clientele.
- Don't be condescending or patronizing. Imagine being a staff member reading them. Would the policies or their language upset you?
- Prepare policies in a format that is easy to update.

Sample house policies

Following are sample formats for house policies. The first is a chart that shows one policy for the establishment, indicating who will enforce the policy and the methods of enforcement. This could be expanded into a chart containing all house policies.

The second sample format shows the same policy and a more extensive written procedure for that policy. This could be expanded into a written procedure for each policy needed for your establishment. Adapt a format that suits your staff and establishment.

A few sample policies are attached: one on identifying minors, a second on preventing intoxicated patrons from entering the premises, a third on refusing service to intoxicated patrons, and a fourth on identifying patrons impaired by alcohol and cannabis.

These samples are only guidelines. Consult your insurance company or legal counsel to ensure you have adequately addressed all risks.

Sample house policy #1A: Minors

Policy	Who Will Enforce	Methods of Enforcement
<p>Minors: No one under the age of 19 will be allowed on the premises or will be served alcohol on the premises.</p>	<ul style="list-style-type: none"> • Manager • Doorperson /host • Bartender • Server 	<ul style="list-style-type: none"> • Ask for two pieces of ID from anyone who looks under the age of 30. • Compare ID to samples of acceptable forms such as valid BC Services Card, driver's licence, passport, or B.C. Identification Card. • Check for alterations to ID by feeling and observing—use a flashlight from behind. • Compare signature of patron to the signature on the ID. • Ask astrological sign. People memorize false birthdates but often will not know the corresponding zodiac sign. • Ask the patron to leave if you suspect the ID is invalid or false. Be polite but authoritative.

Sample house policy #1B: Minors

Policy: ID Underage Patrons

Policy Statement:

No one under the age of 19 will be allowed on the premises or will be served alcohol on the premises.

Procedure:

1. Management will post a notice at the entrance stating that the establishment will ID anyone who looks under 30 years of age.
2. Doorman and servers will ask for two pieces of ID from anyone at the door or a table who looks under 30 years of age:
 - i. first piece, issued by a government agency, should include the person's name, signature, birth date and picture (BC Services Card, driver's licence, passport)
 - ii. second piece must include an imprint of the person's name plus their signature and/or picture (credit card, bank card, university or college student ID cards, CareCard)
3. Staff will feel and observe the document to ensure it is valid. If unsure, verify the information by asking the patron their age, date of birth, height and/or zodiac sign.
4. Staff will check the binder at the front desk to review acceptable forms of ID if in doubt.
5. Staff will refuse service if fake or invalid ID is suspected. When refusing service staff will:
 - Be sure to have a back-up co-worker ready to help or get help
 - Do so in a polite but authoritative manner
 - Speak to the person privately
 - Tell the person "I'm sorry, but it is against the law for me to let you in/serve you."
6. Staff will alert management if the person does not want to leave or if the situation has the potential to get out of control.

Sample house policy #2A: Refusing entry to intoxicated patrons

Policy	Who Will Enforce	Methods of Enforcement
<p>Entry of Intoxicated Patrons: Intoxicated patrons will not be permitted entry to the premises.</p>	<ul style="list-style-type: none"> • Doorperson • Host • Manager 	<ul style="list-style-type: none"> • Greet guests when they enter the premises. • Assess whether they have been drinking prior to arriving, and if so, their level of intoxication. • Identify a back-up co-worker to support you if a guest must be refused entry. • Refuse entry to guests showing signs of intoxication. Be polite but authoritative. • Advise that it is against the law to provide service. • Avoid any confrontation, either verbal or physical. • If necessary, call a manager for support.

Sample house policy #2B: Refusing entry to intoxicated patrons

Policy: Refusing entry to intoxicated patrons

Policy statement:

Intoxicated patrons will not be permitted entry to the premises.

Procedure:

1. Management will assign a doorperson and host to the door.
2. Doorperson will observe behaviour of guests prior to and upon entering the premises for signs of intoxication. Doorperson may question patrons, look out for patrons who appear to be staggering or slurring their words and watch for patrons who are acting in a rude or otherwise obnoxious manner.
3. Host will greet guests when they enter the premises and assess whether they have been drinking prior to arriving and if so, their level of intoxication.
4. Upon observing any signs of intoxication, doorperson or host will advise guest that they are unable to allow entry. When refusing entry, staff will:
 - i. Be sure to have a back-up co-worker ready to help
 - ii. Do so in a polite but authoritative manner
 - iii. Speak to the person privately and discreetly
 - iv. Tell the person, "I'm sorry, but it is against the law for me to let you in."
5. Staff will alert management if the person does not leave or if the situation looks like it has the potential to get out of control.

Sample house policy #3A: Refusing service to intoxicated patrons

Policy	Who Will Enforce	Methods of Enforcement
<p>Service to Intoxicated Patrons: Intoxicated patrons will not be served or permitted to remain on the premises.</p>	<ul style="list-style-type: none"> • Server • Bartender • Manager 	<ul style="list-style-type: none"> • Assess patrons throughout their stay for signs of intoxication. • Identify a back-up co-worker to support you if a guest must be denied service and asked to leave. • Refuse service to guests showing signs of intoxication. Be polite but authoritative. • Advise that it is against the law to provide service, and that they must leave. • Advise that it is for their own safety and well-being that you are taking this action. • Avoid any confrontation, either verbal or physical. • If necessary, call a manager for support.

Sample house policy #3B: Refusing service to intoxicated patrons

Policy: Refusing service to intoxicated patrons

Policy statement:

Intoxicated patrons will not be served or permitted to stay on the premises.

Procedure:

1. Servers and bartenders will assess patrons throughout their stay for signs of intoxication.
2. In the case that a patron must be denied service and asked to leave, server or bartender will identify and brief a back-up co-worker.
3. Server or bartender will advise guest that they will be unable to provide further service, and ask the guest to leave. Upon taking this action, staff will:
 - i. Be sure back-up co-worker is ready to help
 - ii. Be polite but authoritative
 - iii. Speak to the person privately and discreetly
 - iv. Tell the person, "I'm sorry, but it is against the law for me to continue to serve you"
 - v. Tell the person you are taking this action for their safety and well-being
 - vi. Enlist the support of their friends in asking them to leave
 - vii. Remove all bottles or glasses of liquor from the customer at the table or counter
4. Staff will alert management if the person does not leave or if the situation looks like it has the potential to get out of control.

Sample house policy #4: Identifying Patrons Impaired by Cannabis and Alcohol

Policy: Identifying Patrons Impaired by Cannabis and Alcohol

Preamble:

Liquor licensees need to assess their level of tolerance for patrons who use cannabis. They must decide whether they will permit or deny entry altogether to patrons who may be impaired by cannabis. This is an important business decision which needs to weigh the potential for liability exposure against potential profit. In either case, this decision should be reflected in a licensee's house policy.

Policy Statement:

Prevent the service of alcohol to any patron who appears to be impaired by cannabis.

Procedure:

1. Management needs to train staff regarding the signs and symptoms of cannabis impairment.
2. Staff need to look out for:
 - i. patrons who appear to be staggering, have an unsteady gait, or are slurring their words;
 - ii. patrons who appear to be acting in a rude or obnoxious manner;
 - iii. patrons who smell like alcohol and/or cannabis;
 - iv. patrons who appear to have bloodshot or glassy eyes;
 - v. patrons who appear dizzy, confused, drowsy or disoriented;
 - vi. patrons who are seen using cannabis in any form, whether medically or recreationally.
3. Upon observing any signs of alcohol and/or cannabis related intoxication, staff need to address whether the patron will be served, continue to be served, or even refused entry. If a patron is refused entry or refused service, staff will need to do the following:
 - i. have a co-worker ready to help;
 - ii. refuse service or entry in a polite but authoritative manner;
 - iii. speak to the person privately and discreetly;
 - iv. tell the person: "I'm sorry, but it is against the law for me to let you in";
 - v. avoid any confrontation, either verbal or physical;
 - vi. enlist the support of the patron's friends in asking them to leave;
 - vii. be sure the patron's friends are not intoxicated themselves;
 - viii. encourage the patron not to drive and, if they insist on driving, call the police immediately.
4. Staff will alert management if the person does not leave or if the situation looks like it may get out of control.



Appendix H: Incident report sample

Date: April 3, 2018	Time incident occurred: 11:29 am
Weather: Sun / Clouds / Wet <input checked="" type="radio"/> Dry / Snow / Wind	

Customer details

Name: Tina S _____	Sex: Male <input checked="" type="radio"/> Female	Birth date: October 15, 1963
Age: 19-25 / 26-30 / 31-35 / 36-40 / 41-49 <input checked="" type="radio"/> 50-59 / 60-65 / 66+		Height: 5' 7"
Weight: 170 lbs.	Eye colour: Blue <input checked="" type="radio"/> Brown / Green / Grey / Unknown	Glasses: Yes <input checked="" type="radio"/> No
Facial hair: Moustache / Beard / Goatee / Other: None		
Hair colour: Blonde / Brown / Black / Grey <input checked="" type="radio"/> Other: Reddish Brown		
Hair length: Short <input checked="" type="radio"/> Mid / Long Details:		
Clothes: Pink top, black velvet jacket, black pants		Other: n/a
Was the person alone? Yes <input checked="" type="radio"/> No / Don't know	If no, name of person they were with? Alice T _____	
Were staff familiar with the patron and/or accompanying patrons? Yes <input checked="" type="radio"/> No / Don't know		
Why/how were they familiar?		

Denial of entry

Reason: Intoxicated / Minor / Troublesome / Dress code / No ID / False ID / Previously barred / Other:

Refusal of service / Removal from premises

Reason: <input checked="" type="radio"/> Intoxicated / Troublesome / Minor / Other:	Number of drinks consumed on premises: 4
What was the patron drinking? Beer <input checked="" type="radio"/> Wine / Spirits / Fortified wine / Other:	
Were all of the patron's receipts retained? Yes <input checked="" type="radio"/> No	Receipt numbers: 2345
Names of all staff who served patron: Jennifer R _____	
Refusal by whom? Jennifer R _____ and Robert B _____	Was the patron removed from the premises? Yes <input checked="" type="radio"/> No
Names of all staff involved in removal: Robert B _____ Steve H _____	
Did all staff removing the patron possess security certificates? Yes <input checked="" type="radio"/> No	

Injury / accident

What happened?	
What part of the body was affected?	
First aid administered by staff? Yes / No	If yes, describe:
Emergency services attended? Yes / No	Was hospitalization required? Yes / No
How did the patron contribute to their injury?	
If trip or fall, condition of the floor and any foreign substances detected:	
Are photos available of the area? Yes / No	If altercation, were the patrons involved separated? Yes / No

Minor on premises

Was the minor caught drinking alcohol? Yes / No	If yes, who gave the minor a drink?
Was ID checked? Yes / No	If yes, by whom?
If yes, indicate type of ID: BC Services Card / Driver's License / BCID / Passport / Military ID / Other:	

Transportation

Were alternate methods of transportation offered? Yes / No	If yes, specify: Robert B. offered a free taxi home
How did the patron leave the premises? Taxi (company: Acme Cabs) / Friend on premises Friend from home / Walking / Car / Motorcycle / Bicycle / Boat / Police / Other:	
If taxi taken, was patron observed getting into taxi? Yes / No	
If the patron drove home in their own vehicle, please specify:	License plate number:
Province/State:	Colour:
	Make:
Steps taken to prevent patron from driving:	

Police

Time of call:	am / pm		
Time of patron's departure:	am / pm	Time of officer's arrival:	am / pm
Name of officer(s):		Badge number(s):	
Were police provided any documents? Statements / Receipts / Video / Bar Watch / TreoScope / Other:			

Witnesses (if possible obtain for at least 2 witnesses)

Witness #1 name: Shane J _____
Address: 123 Main St., Vancouver, BC V0V 0V0
Telephone: 604-555-5555

Witness #2 name: Maureen S _____
Address: 567 First St., Vancouver, BC V1V 1V1
Telephone: 778-555-5555

Detailed description of incident (include documentation on how much alcohol was served; recommend attaching copy of staff schedule for that day)

At 10:30 pm Tina S _____ and Alice T _____ entered the establishment and ordered appetizers and one bottle of wine with a 12% alcohol volume. At 11:20 Tina attempted to order a second bottle of wine, but was refused service by Jennifer R _____. Tina asked to speak with the manager and Jennifer asked Robert B _____ to come to speak with the ladies. Robert also refused service and offered Tina and Alice a free taxi ride home. This offer was accepted and Tina and Alice left the establishment at 11:37 pm in an Acme taxi.

All appropriate steps have been taken: Yes / No	
All evidence has been retained? Statements / Receipts / Video / Bar Watch / TreoScope / Other:	
Manager notified: Yes / No	If yes, name of manager: Robert B _____
Insurance company / broker contacted? Yes / No	Date contacted:

We, the undersigned affirm that all the information recorded herein is factual, accurate and complete regarding the circumstances surrounding the incident.

Print name: Jennifer R _____	Signature: 	Position: Server
Print name: Robert B _____	Signature: 	Position: Manager

Email: support@rapidlms.com

Website: <https://www.responsible-servicebc.gov.bc.ca/>



Liquor and Cannabis
Regulation Branch