Practice test questions for serving it right-Tourism 12

What is Serving It Right?

-interactive, self-study course that will educate you about your legal responsibilities when serving liquor

What does Serving it right teach you?

* provides effective techniques to prevent problems related to the service of liquor
* Signs of intoxication
* Legal liability
* Duty of care on and off premises, and
* The necessity to create and enforce responsible beverage service policies

**What is the Purpose of Serving It Right**

to reduce alcohol-related problems.

What is a responsible beverage service program and what is it supposed to do?

Serving It Right (SIR) is BC’s responsible beverage service program- prevent alcohol related problems

Who needs a Serving It Right certificate?

What is Serving it right designed for:

* + people working in tourism and hospitality,
	+ individuals whose special occasion license requires them to have Serving It Right,
	+ keeping customers and the public safe while allowing them to enjoy the benefits and pleasures that good food and drink can bring,
	+ encouraging a responsible, caring and professional approach to the serving of alcohol.

What does Serving it right do

 provides critical information on the effects of alcohol on people, and techniques for preventing over-service.

**What does SIR educates licensees, servers and retailers about:**

-understand the effects of alcohol on the body

-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

-What are the effects of alcohol on the body?

-How do you recognize signs of intoxication?

What are signs of intoxication?

What are your responsibilities under the law?

What are the consequences?

How can you ID minors to prevent underage drinking?

What techniques can you use to ID minors?

How can you develop appropriate alcohol service policies?

How can you support appropriate alcohol service policies?

How can you handle typical situations requiring intervention?

Who is responsible for delivering Serving it Right?

 Hospitality Industry Education Advisory Committee.

What did this committee change its name to?

Go2

**What is the new SIR program?**

a single program for retailers, licensees, servers and those required to obtain it for their special occasion licences

**Who must have a SIR certificate?**

depends on the type of liquor licence you have.

What are the four different types of licenses issued to establishments or individuals serving food and beverages?

Food Primary, liquor primary, licensee retail store license, special occasion license

**What is a Food-primary licence (restaurants)**

issued to restaurants or food outlets where the service of food, not liquor, is the primary focus

Licensees, managers and all those who may be left in charge need to have a SIR certificate

**What is a Liquor-primary licence (bars, pubs, nightclubs, casinos, stadiums)**

issued to establishments whose primary business is hospitality, entertainment or beverage service, including bars, pubs, nightclubs, casinos and stadiums. Licensees, managers, servers and bartenders in these establishments must all have SIR certificates

**What is a 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 BC retail liquor stores must have SIR certificates.

**What is a Special occasion licence**

A special occasion licence (SOL) is required for not-for-profit special occasions such as weddings and community festivals where alcoholic drinks will be served or sold.

When would you need a special occasion license?

If you or your organization plan to serve alcoholic drinks in a public place, other than a private residence, or sell alcoholic drinks at an event held anywhere including a private residence, you need a SOL.

If you weren’t sure whether staff needed SIR certificates who would you contact?

 Consult your local police, or the Liquor Control and Licensing Branch

**What are the effects of too much alcohol?**

**What are the governments are the public concerned about relating to alcohol over consumption?**

* health issues, impaired driving and overall public safety.

What are the Centre for Addictions Research of BC and the BC Ministry of Health doing as a result?

promoting low-risk drinking guidelines.

What do Programs such as Mothers Against Drunk Driving (MADD) and Drinking Driving CounterAttack provide a clear indication of?

that society is no longer willing to tolerate the consequences associated with drinking and driving.

How do we know Young people are more aware than ever before of alcohol-related issues?

dry grads and designated-driver programs.

How have Laws and regulations changed as a result of this changing environment?

Injured parties from alcohol-related incidents are taking their cases to court, where, increasingly, judges assign a percentage of the fault to commercial hosts.

What have courts been doing when assigning fault for alcohol related incidents?

Courts are placing an expanding responsibility on the owners, managers and staff of licensed establishments to provide responsible beverage service.

What does a responsible beverage service program do to decrease service-related alcohol problems

* 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 in licensed establishments.

On whom are courts placing increased responsibility to provide responsible beverage service?

* Increased responsibility is being placed on owners, managers and staff to provide responsible beverage service.
* How to recognize intoxication and the over-consumption of alcohol
* The effects of alcohol in combination with drugs
* What is blood alcohol concentration and a standard drink

How long does a person with a blood alcohol concentration of .08% take to get sober?

more than five hours to become completely sober.

Can Enforcement officers enforce administrative and monetary penalties against a driver with a blood alcohol concentration of 0.05% or above?

Yes

* **1. What is intoxication?**
* 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.
* **2. How does intoxication happen?**
* 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.
* **3. What are the Effects of intoxication on the body and brain?**
* 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, is anyone in BC allowed to sell or serve alcohol to a person who is intoxicated or apparently intoxicated?

No

Why does the term “apparently intoxicated” places a great deal of responsibility on you to judge when a person is approaching intoxication or is already intoxicated?

**True or false and why?**

**Myth 1:  Alcohol makes you happy**

False-How you will feel depends on your mood when you start drinking.

**Myth 2:  Mixing drinks causes higher levels of intoxication**

False-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**

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

**Myth 4:  Alcohol relieves stress**

False-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**

False-In fact, the motor functions that control coordination are affected by alcohol immediately.

**False-Myth 6:  Alcohol helps you sleep**

False-Alcohol can help you fall asleep, but once the 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.

**False-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.

**What are Factors that influence intoxication?**

**Rate of consumption (how fast), amount, age, gender, body weight/type, food consumption, other drugs, environment/mood, fatigue (how tired), Tolerance**

**How does Rate of consumption influence intoxication?**

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

**How does Amount consumed influence intoxication?**

* “Doubles” and drinks made with more than one type of liquor typically contain more alcohol than standard drinks (a five-ounce glass of wine, or a 12-ounce glass of beer).

**How does Age influence intoxication?**

* 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.

**How does Gender influence intoxication?**

* 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.

**How does Body weight and type influence intoxication?**

* 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.

**How does Food consumption influence intoxication?**

* 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.

**Hoes does Medication and other drugs influence intoxication?**

* 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.

**How does Environment and mood influence intoxication?**

* 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

**How does Fatigue and stress influence intoxication?**

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

**How does Tolerance to alcohol influence intoxication?**

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. A person with a high tolerance takes more alcohol to show signs of visible intoxication, often resulting in an underestimation of alcohol’s invisible impact

**How can you tell if a customer had too much to drink?**

**Stumbling/staggering, poor eye-hand coordination, changes/difficulties in speech, nausea/sweating, sleepiness/breathing changes, blurred vision, overconfident/inappropriate behavior, confused/less alert, agressiveness**

**Why is making an initial assessment important?**

* A change in behaviour or abnormal behaviour is a good indication of the effects of alcohol consumption.
* If you begin to notice signs of intoxication, you can adjust your service before the guest becomes intoxicated.

**How could you detect Stumbling or staggering**

* has difficulty standing upright
* has difficulty walking a straight line
* bumps into furniture and other patrons

**How could you detect Poor hand-eye coordination**

* fumbles for items like cigarettes, change, ID
* reaches for drink and misses or spills it

**How could you detect Changes or difficulties in speech**

* speaks too loudly for the situation
* changes volume of speech (up or down) when there is no reason to suggest that a change is necessary; for example, speaks softly when there is no need to be secretive
* speaking unusually slowly or rapidly
* has difficulty speaking distinctly; words are blurred or run together
* cannot get a word out or uses the wrong word

**How could you detect Nausea and sweating**

* looks nauseous or needs to throw up
* sweats excessively, inconsistent with the surrounding temperature or conditions
* sweats too much to be justified by nervousness, physical exertion or other logical factors

**How could you detect Sleepiness and breathing changes**

* has tired, heavy or closed eyes
* has a placid, fixed gaze
* nods off, then jerks head upright
* breathes noticeably slower
* breathes shallowly or weakly

**How could you detect Blurred vision**

* has trouble reading menus or signs
* cannot fix eyes on an object
* has bloodshot eyes (to any degree)

**How could you detect Overconfident or acts inappropriately**

* boasts unrealistically about what he or she can do; inflated sense of confidence
* makes inappropriate comments to server or other customers
* acts out inappropriate behaviour; reasoning is impaired
* makes unusual personal requests
* exaggerates personal importance

**How could you detect Confused or less alert**

* places an order and then forgets what was ordered
* has difficulty understanding what is said
* requires too long to respond to questions or to react to events; for example, when asked to place an order
* has difficulty paying attention to the conversation
* gets easily distracted or is off-topic

**How could you detect Aggressiveness**

* aggressive speech
* threatens physical assault
* is argumentative and uncompromising

What is one difficulty with using observation to determine intoxication levels?

by the time changes in behaviour are obvious, the patron may already be intoxicated.

What does the presence of Alcohol in conjunction with other drugs do?

* The presence of alcohol in conjunction with other drugs often intensifies effects.

When is this especially evident?

when alcohol is joined with other depressants, due to their common capacity to slow down a person’s central nervous system.

How can the impact 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.

**What are some 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

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 (benzodiazepines, tranquillizers, sleeping pills, barbiturates)

Intensified impairment in concentration, perception,

reaction and control Alcohol and cannabis (marijuana)

Intensified euphoria
Sudden heart, respiratory failure

Alcohol and cocaine

How much can some drugs,increase intoxication levels?

 by a factor of five, making people appear more intoxicated than they should for the amount of alcohol consumed

What can Driving after combining alcohol with other drugs do?

 can substantially increase the risk of a motor vehicle accident.

How does using drugs combined with alcohol, add to the risk of accidental injury?

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

Can Alcohol interactions with other drugs bring about quite unpredictable effects?

Yes

What symptoms do Servers need to apply careful vigilance, and observe patrons for?

 exaggeration of initial and more protracted symptoms normally associated with alcohol intake-ie. euphoria instead of just relaxation and giddiness, worse dizziness, slow reflexes, slurred speech, blurred vision, disorientation or extreme drowsiness.

What emergency numbers should you have on hand and where?

Ambulance, police, (including the BC Poison Control Centre) in a place where all staff has quick access in case you need to call for help.

**Why is it possible to Mistake illness or disability for intoxication?**

Symptoms may be similar to that of alcohol intoxication.

How can we prevent making a mistake like that?

An initial assessment is important to determine whether the guest is ill or intoxicated.

What could we do in the initial assessment to determine illness vs intoxication?

Asking guests whether they feel ill and noting medical alert jewelry, such as a diabetic bracelet, are important steps in determining whether someone is sick.

Why is it important to do this?

Discontinuing service and helping the guest to receive medical attention can be life-saving in some instances.

**What is the difference between impairment and intoxication?**

**Legal implications- Impairment has to do with blood alcohol concentration and charges can be laid**

How is impairment Like intoxication?

, **impairment** can be an observed state;

How is impairment different from intoxication?

 it can also be measured- legal ramifications

What does the law recognize regarding impairment?

* The law 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 at or above .08%.

Are the effects of even a fraction of 1% alcohol content in the bloodstream significant?

Yes

What can the consequences be?

* 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.

**What would make a person be considered Impaired while driving?**

* his or her BAC is at or above .05% or
* his or her ability to drive is impaired by the use of alcohol, drugs or other factors.

What do Many law enforcement agencies use to test blood alcohol content?

 breath alcohol testing devices like the Breathalyzer to determine a person’s BAC.

What else can be used in court to prosecute drunk drivers?

 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.

What types of observations would Such evidence include?

 erratic driving and physical and behavioural indicators like slurred speech, bloodshot eyes and difficulty walking a straight line.

Can a person can be guilty of impaired driving even though their BAC is below .05%?

Yes

Can a person be guilty of impaired driving with a BAC at or above .05%, whether or not their ability to operate the vehicle is visibly affected by alcohol consumption?

Yes

**What are the Penalties for Impaired Driving**

Any person who is found to be driving with a BAC at or above .05% can face penalties including immediate suspension of their driver's license, vehicle impoundment and monetary fines.

**How can you Measure BAC?**

The only way of accurately measuring BAC is to use a Breathalyzer or conduct a blood test.

What is a practical technique for servers to estimate a customer's BAC?

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

What factors will A customer's BAC depend on?

his or her sex, weight, the number of drinks he or she has consumed and the number of hours since the first drink

**What is the size of a standard drink?**

* A standard drink (SD) = 0.6 ounces of 100% alcohol.
* This means, for example, that a five-ounce glass of 12% alcohol wine is considered a standard drink because it has the same effect on the human body as 0.6 ounces of 100% alcohol.

How does this change with different levels of alcohol concentration in drinks?

What would be a standard drink size for?

 Beer- 12 oz

 Wine-5 oz

 Spirits- 1 ½ oz

How does the alcohol content affect the standard drink size?

With low-alcohol beer and wine, a normal serving will be less than a standard drink, because the beverage has lower alcohol content. With high-alcohol- it would be higher. Also increased amounts of spirits would affect standard drink size.

Why is it important to Understand the standard drink and its equivalencies?

because it allows you to monitor your patrons' intake, regardless of the beverage type.

How much alcohol can your liver process per hour?

about one standard drink per hour.

How can you use the number of standard drinks consumed by a customer over time to determine BAC?

By consulting a chart on How to Calculate BAC

Why would this be helpful?

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.

**How can you to use this knowledge on the job?**

Use it to know when to discontinue service

By law, is anyone allowed to sell or serve alcohol to a person who is intoxicated or apparently intoxicated?

NO

Why does The term “apparently intoxicated” place a great deal of responsibility on you?

Because you have to judge when a person is approaching intoxication or is already intoxicated.

**What are some factors you should remember when using a chart to calculate BAC?**

* 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 .08 or over, 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.

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. Because of this what duty is placed on licensees and their servers?

It is the duty of licensees and servers to be aware of their rights and responsibilities and to conduct their business activities accordingly.

**What is The BC Liquor Control and Licensing Act?**

the most important legislation governing the sale and service of alcohol in licensed establishments

What is the purpose of The Act?

designed to maintain the orderly and responsible operation of licensed establishments,

What does the act deal with?

* licensing requirements, fees, application processes, operating terms and conditions such as hours of liquor service and entertainment policies, inspections and law enforcement for licensed establishments.

What does it requires from licensees and servers?

 to control the activities that take place in their establishments, including the responsible sale and service of alcohol

What is The Liquor Control and Licensing Act supported by?

 the Liquor Control and Licensing Regulation.

What does the The general manager of the Liquor Control and Licensing Branch do?

administers the Act and the Regulation, both of which make it clear that those who serve alcohol in a licensed establishment have specific responsibilities.

What must all Licensees meet?

 all applicable requirements of the Act and Regulation, as well as terms and conditions of their licence, which are periodically updated.

What is the duty of all licensees?

 to routinely familiarize themselves and their servers with the most recent modifications.

Where can changes to the Act and Regulation, and terms and conditions of licences be found?

 Liquor Control and Licensing Branch website

What are the key rights and responsibilities under the Act and Regulation, as they relate to alcohol service?

Times for Sale and service- Rules for dispensing liquor- rules for consumption- rules for public safety-Capacity- underage drinking-intoxicated people (dealing with)

**What are the rules for time?**

* You may sell liquor only during the hours noted on the licence.
* You must ensure that all patrons leave your liquor-primary establishment (bars) within one half-hour 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 from tables in food-primary establishments (restaurants) within one half-hour of the end of liquor service.

**What are the rules for Dispensing liquor?**

You are permitted to pre-mix drinks by hand or by using such a device as a Bellini machine

**What are the rules for Consumption of liquor?**

* Licensees and employees must not consume liquor while working in the licensed establishment.
* Ensure that only liquor purchased in your liquor-primary or food-primary establishment is consumed there.
* Liquor must not be consumed within a licensee retail store
* Do not sell unopened bottles for consumption on food primary and liquor primary premises

**What are the rules for Capacity?**

You may not allow the number of patrons to exceed the capacity stated on your establishment's liquor licence.

**What are the rules for Minors (anyone under the age of 19)?**

**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.**

What can Minors employed in food-primary establishments, or liquor-primary stadiums do and what can’t they do regarding the service of liquor?

 may serve liquor but may not open bottles, pour or mix liquor. You must have adult staff supervising minors serving liquor.

What is the age of a minor in BC?

Under 19

What can you do to **Identify Underage Drinkers?**

What penalties are there for serving underage drinkers?

The minimum penalty is a 10-day licence suspension or $7,500 fine.

What are the penalties for using false identification?

 $115 fine issued by police.

**What are the Id Requirements for BC**

* Two pieces of ID are required in BC to verify age.

What are the requirements for the The first piece of identification ?

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

What are examples of a first piece of ID?

\* Examples of the first piece include a passport, driver’s licence or B.C. Identification (BCID) card.

What are the requirements of the The second piece ?

* include an imprint of the person’s name and
* include the person's signature and/or picture.

What are examples of a second piece of ID?

\* Examples of the second piece include a credit card, BC CareCard, SIN card, or BCID.

If the person cannot produce two pieces of acceptable identification that prove they are 19 or older what must you do? you must refuse entry or refuse to sell or serve them liquor.

What are Licensees encouraged to do if they suspect Id is false?

retain or take a photocopy of identification that is false and turn it over to the liquor inspector or police.

What steps can you take to check to see if ID is fraudulent?

Hold the ID in your hands-does it feel and look real

Check the photo-is that the person-does the photo look tampered with

Feel the document- check for tape

Feel for any extra thickness around the photo and the edge of the lamination

Check the lamination for wrinkles or air bubbles in the plastic, and peeling edges.

Look at the details-holograms, raised seals, uniform numbers

Ask for confirmation-A sample signature, zodiac sign, spell middle name, Verify information –address/postal code

When you suspect fake or invalid ID, what must a server do?

* refuse service.
* be polite but authoritative.
* express regret that you cannot provide service.
* avoid judging or embarrassing the individual.
* write down the person’s driver’s license number and other identifying information and keep it in your establishment’s logbook,

Why do you need to do this?

Your vigilance in attempting to establish proof of age, even if the ID later proves to be false, could be raised in a legal defence.

**What are the rules regarding Intoxicated People?**

* 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.

How is **Enforcement of the Act Accomplished?**

* **Monitoring performance through inspections-routine inspections- unannounced visits by police**

Are you required to have your SIR card with you when serving?

Yes

What will an officer do if there is a violation?

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 Control and Licensing Branch. The branch will follow up and may choose to take further enforcement action as a result of the LPC.

**What are the Possible penalties**?

The Act authorizes the LCLB to:

* impose conditions on a licence,
* suspend or cancel a licence where the licensee fails to comply with the requirements of the Act or Regulation,
* impose monetary penalties.
* 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.

**What is the The Human Right 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.

What is the code’s intent?

* 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 or sexual orientation), 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.

What would be an example of how you might have committed a violation of the Human Rights code?

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.

Apart from the statutory obligations and penalties discussed above, what does a licensee and its management and staff owe to both patrons and innocent third parties?

Duty of care

What is a Duty of care?

In the context of alcohol sales and service, this means that both the licensee and servers must protect patrons and others from harm that can result from the activity of drinking, whether that harm occurs on or off the premises.

How is This duty of care imposed?

 by the “law of negligence” and the British Columbia Occupiers Liability Act.

Is Lack of knowledge of a patron's level of intoxication a defense?

No

How must licensee must conduct their business related to its patrons' consumption and behavior?

To allow for monitoring so that the licensee knows when to suspend service and/or make arrangements to get an at-risk patron home safely.

What are examples of how they can monitor this situation?

* 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

**What is the 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.

Does this duty apply to non-licensed premises?

Yes

Who is this duty 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.

What is a duty servers have related to who they can allow on their premises?

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.

What do servers need to remember if ejection becomes necessary?

- must do this with care to avoid injury and potential liability for injury of a patron.

**What is your 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.

When does your responsibility end after they leave the premises?

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.

What does the duty of care include in terms of alcohol being consumed on your premises?

includes taking all reasonable steps to prevent harm that could result from alcohol being consumed on your premises.

What are some reasonable steps a licensee and its staff should take?

* take a hands-on approach when it appears that intoxicated patrons may be intending to drive.
* take comments or concerns raised by other patrons seriously.
* follow up with intoxicated patrons who appear to be heading for a vehicle.
* not hesitate to call a taxi and watch that person get into the taxi if there is any doubt that an intoxicated person has a safe ride home.
* call the police if an intoxicated person insists on driving home.

Do Licensees and staff have a responsibility for both a patron’s safety and the safety of others whom the patron may affect?

Yes

What could happen 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.

Do the courts hold servers responsible for damage done by intoxicated patrons?

* 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.

What percentage of fault is normally attributed to a licensee ?

5-25 but it varies widely depending on the circumstances.

For liability purposes, does it does not matter whether the licensee or staff actually knew of the patron’s state of intoxication?

No-The licensee has an obligation to have systems in place to monitor alcohol consumption and behaviour.

Even if only a small percentage of the total blame is assigned to the licensee, is it possible they may still have to pay for all of the damages?

Yes, 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.

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

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

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

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

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

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

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

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

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

What is a logbook?

* A written report in a bound logbook detailing incidents with intoxicated or trouble patrons

Why is a logbook valuable?

 is a valuable tool in the case of a legal battle or insurance claim.

What is an effective approach to promoting responsible beverage service?

- 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. An effective RBS program includes intervention techniques to help you manage your duty of care to patrons, other customers and the public.

**What is a House policy?**

* A house policy provides licensees, managers and staff with the procedures and practical tactics appropriate for use in different alcohol-service situations.

Why is it important that these are written down?

Writing policies down illustrates their seriousness and encourages careful deliberation by all staff. Written policies also make everyone's role clear in administering them.

What should you start with when developing a house policy?

an assessment of the specific risks associated with your establishment.

Does A good house policy includes just instructions from management?

Should also have input of staff and guests.

What are some Important topics in a house policy?

 include ways to prevent underage drinking, intoxication and overcrowding.

Why is a good house policy important?

* By proper and consistent implementation of your house policy, you ensure responsible beverage service, and shield your establishment from unwanted lawsuits.

Is it enough just to have a house policy?

No- you must make sure it is enforced and followed through on. It must cover legal requirements.

**How can you ensure you Implement a House Policy effectively?**

* Management will need to emphasize the seriousness of its commitment to responsible beverage service.
* Once written policies are established, management must communicate them to staff,
* Management must ensure that staff are trained to implement them,
* Management must require staff sign a statement indicating that they have read and understood the policies.
* Management must encourage and support the staff in carrying out these policies, which should also be reviewed periodically to ensure that they are still effective in achieving their goals.

**What are some ways for managers and licensees to effectively implementing house policy?**

**Tip 1** Engage employees and customers in developing your house policy.

**Tip 2** Introduce written policies to employees in a structured, positive environment. Organize a staff meeting to introduce the policies. Post notices about the meeting (stating date, time, place, etc.) on bulletin boards well in advance, or include a notification in pay envelopes

**Tip 3** If employees are made aware of the policies at an orientation meeting as opposed to through the grapevine, the new rules will be less confusing and easy to accept.

**Tip 4** Brief your management team to ensure that they are fully aware of all policies prior to introducing and explaining the policies to the general staff.

**Tip 5** Hold meetings during working hours and make attendance at them mandatory.

**Tip 6** Have copies of the Liquor Control and Licensing Act and Regulation and Guide for Licensees available for employees, and review them to underscore your own establishment’s policies on the service of alcohol

**Tip 7** Ensure that all staff understand the particular requirements for your class of licence.

**Tip 8** Set a date for implementing any new policies and stick to it

**Tip 9** Provide cross-training so staff can learn and understand the different roles in RBS.

**Tip 10** Make your customers aware of your policies by posting your policies where guests can read them.

**Tip 11** Make sure you support your employees when they apply your house policy.

**What is The importance of teamwork?**

* Working as a team is essential to implementing house policy and RBS. Staff should support each other by listening, being informed, asking questions, watching and providing help when needed.
* Being alert to potential problems isn’t the sole territory of managers or wait staff. It can begin with a valet parking attendant or a greeter at the door, who is in a position to watch the behaviour of customers arriving at the establishment. Bus staff who are clearing tables are in a perfect position to monitor the behaviour at nearby occupied tables. Working cooperatively can help to avoid problems before they occur. Where one employee may have missed problematic behaviour, another may spot it.

**How can you help your co-workers in RBS?**

* Exchange information as you start or end a shift to help identify potential problems.
* Watch your co-workers' sections when they are on a break, and be prepared to report any unusual customer behaviour.
* Be on the lookout for co-workers’ non-verbal indicators that something is wrong.
* Tell each other if you notice a customer nearing intoxication or if someone has entered who is already intoxicated.
* 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 has already been served. The guest may have been cut off and is now trying to get service in another section
* Serve as a backup and a witness in any situation where a co-worker needs to refuse service or ask a customer to leave.
* Assist in handling an intoxicated customer

**What is the Managers and licensees’ role in enforcing house policy?**

Support your house policy- make sure staff are involved in the development of these policies, and provided with ongoing training on the procedures. Let staff know that everyone has to follow the policies to provide a safe and enjoyable atmosphere for patrons

* Get input and listen to staff suggestions on house policy to build and maintain teamwork.
* Use regular staff meetings as feedback for policies, and change them if they are not working.
* Let staff know that everyone has to follow the policies to provide a safe and enjoyable atmosphere for patrons.
* House policy should be reinforced at regularly scheduled staff meetings. Any changes or additions must be reflected in the written house policy manual and passed on to employees promptly and in an organized fashion.
* Policies should be enforced on a daily basis, or they will soon be forgotten. Inconsistent monitoring of house policy will not go undetected by staff and will create a credibility problem for management

**What does Effective enforcement do for your establishment?**

 **increase your establishments potential for success and decrease your risk of legal action?**

**How can you 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 does offer refreshment alternatives, such as non-alcoholic “breather rounds” or snacks

**How do you go about Preventing others from purchasing alcohol for minors?**

* Observe and ID everyone at a table or in a retail store in which customers appear to be under the age of 19. 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.

**What can retail liquor store employees do to prevent others from providing alcohol for minors?**

* 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 with minors outside the store. These customers may tell an employee directly that minors are asking them to purchase.
* The same product purchased or attempted to be purchased within a few minutes. For example, a minor without ID or with invalid ID is refused service, and the same products that the minor had attempted to buy are being purchased by another customer a few minutes later. Usually these products are the most inexpensive and are high in alcohol content.
* If a minor is refused service and indicates an intention to try elsewhere, call local liquor stores to give a physical description and warn them that this minor may be attempting to purchase alcohol

**How can you be Preventing intoxication through customer service?**

**Actively promote and market food**

**Avoid over-service**

**Promote a designated driver program**

**Creating a pleasant, professional environment**

**Door control**

Initial greeting and assessment of intoxication level

While building a rapport with your customers you may also be able to determine other factors such as:

* Are your guests driving?
* Were they drinking prior to arriving in your establishment?
* Are they celebrating an event?
* What type of mood are they in?
* Do they have an alternative driving plan?

**Staff image and written house policy**

**Control Through Intervention**

* How can you politely deal with refusing service?
* explain to the guest privately and discreetly that he or she is intoxicated and is not permitted to stay on the premises. Use tact and avoid confrontation; do not “corner” your patrons. Avoid threatening statements and judgmental comments . Be courteous and firm, explaining that, under the law, intoxicated people may not remain on licensed premises. Use closed statements that do not allow negotiation, for example, “I’m sorry, but I’ll lose my job if I serve you.” Do not bargain or back down. Do not use emotionally charged words
* Provide reasons for your actions, which include the following:You are reducing the risk of the patron being injured or causing injury to others. You are reducing your risk of liability.
* You are preventing possible impaired driving, violence, criminal acts and vandalism
* Listen and be empathetic by acknowledging emotions such as anger or disappointment. Show concern for the customer by suggesting alternative transportation and reminding the customer that you are trying to protect him or her.

**Discontinuing Service**

**Providing Alternate Transportation**

**Start with the guest's companions**

**Transit/taxi option**

**Special occasions and large groups**

What is the Get Home Safe Community Kit?

Kit provided by regional Loss Prevention offices that includes posters, designated driver stickers and other materials to encourage safe driving practices for events attracting at least 250 guests.

**What do you do If intervention and planning fails**

* write down the description of the car, the licence number and the general direction they are travelling, then call police immediately with this information.

**Tough love**

**The incident log with important details**

* Recording events in a logbook while they are still fresh in your mind is important. Details such as time, place, date, nature of the incident, description of the parties involved, action taken, witnesses and any other pertinent information should be included.

**Management or licensee’s role-make sure details are taken care of and house policy is being followed- may need to contact insurer and/or police in case of possible legal action**

How long do you need to keep records in an incident book?

Keep these records for at least seven years.

Why should logbooks be bound?

* because in court a bound book will have more credibility than a binder that could be easily altered. An accurate and complete log together with sales slips may form the backbone of your defence in civil litigation and in enforcement hearings before the liquor authority.

**Do you need to use care when ejecting a guest?**

* 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 the establishment open to legal action. If the patron refuses to leave, or if the patron poses a danger to another patron or a staff member, then the licensee or staff may use such reasonable force as is necessary to remove them from the premises

**Key Concepts Review**

The following is the key information that you should understand before writing the exam. Please review, and if you find you cannot explain the concept 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. | checked |
| Created through partnership of provincial government and hospitality industry. |  |
| Who needs a SIR certificate? | Food-primary licensees and managers; liquor-primary licensees, managers, servers and bartenders; private liquor store licensees, managers and sales staff; some special occasion licence holders. |  |
| The modern view of alcohol | Concerns about alcohol over-consumption and public safety. |  |
| Licensees and staff found increasingly responsible for alcohol-related injuries in courts. |  |
| The impact of a responsible beverage service program | 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, gender and body type. |  |
| Possible signs of intoxication include stumbling, poorhand- eye coordination, changes in speech and nausea. |  |
| Make an initial assessment and watch for a change in behaviour or abnormal behaviour. |  |
| 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 the standard drink | A person is legally 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 alcohol and/or drugs. |  |
| A standard drink is 0.6 ounces of 100% alcohol; for example, a 5-ounce glass of 12% alcohol wine. |  |
| **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. |  |  |
| 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 LCLB 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 Act, Regulation, and terms and conditions of licences. |  |  |
| Call the police when necessary. |  |  |
| **Section 4 – Implementing Responsible Beverage Service** |  |
| The importance of a house policy to support responsible beverage service | Provides licensees, managers and staff with the appropriate procedures and tactics to use in different alcohol-service situations. |  |  |
| Shields your establishment from unwanted lawsuits. |  |  |
| Promoting house policy creates customer awareness and shows that you and your staff are responsible and professional. |  |  |
| How to be an effective team member in implementing RBS | Everyone in the staff has a role in RBS. |  |  |
| Share information to help identify problematic behaviour. |  |  |
| Serve as a backup or witness. |  |  |
| Assist in handling an intoxicated customer. |  |  |
| How to ID minors to prevent underage drinkingHow to ID minors to prevent underage drinking cont. | 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. |  |  |
| How to develop and support policies that prevent intoxication | Assess the specific risks associated with your establishment. |  |  |
| Write policies down to make everyone’s role clear. |  |  |
| Get input from staff and guests. |  |  |
| Provide proper training for staff and regular review and reinforcement. |  |  |
| Create a pleasant, professional environment. |  |  |
| How to handle typical situations requiring intervention | Identify a backup team member. |  |  |
| When refusing service, explain to the guest privately and discreetly. |  |  |
| Be courteous and firm; provide reasons for your actions. |  |  |
| How to get intoxicated patrons home safely | Identify a sober friend or companion of the guest that is there or can be called to pick them up. |  |  |
| Offer the guest incentives to leave their keys or help them to use a community service to get home. |  |  |
| If the patron insists on driving, call the police with details. |  |  |
| How to use an incident log | Record details of events in a logbook and keep these records, along with sales slips, for at least seven years. |  |  |
| Use entries as a learning tool and to debrief staff. |  |  |