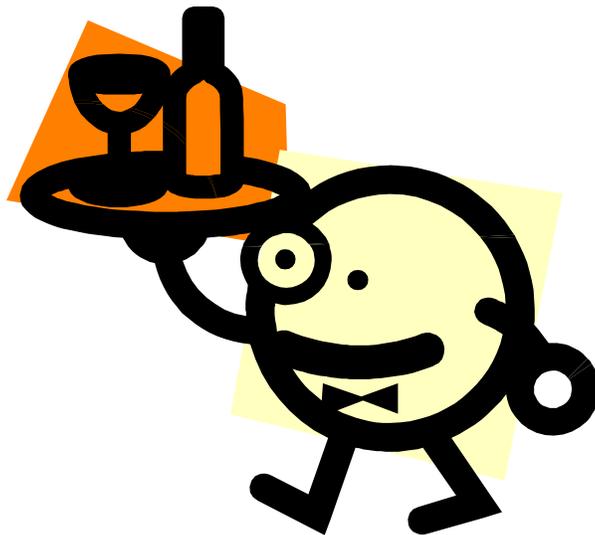


**BE A
RESPONSIBLE SERVER
BARS COURSE**

**Self-Study
Training Manual**



Yukon
Liquor Corporation

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CHAPTER 1: Introduction

SELF STUDY SERVER'S MANUAL

This training program, "Be a Responsible Server" [B.A.R.S.], offers guidance to those who serve alcoholic beverages professionally. The course provides information about alcohol and its effects on the body, suggests responsible operating policies, helps build skills for preventing intoxication and managing the guest who does become intoxicated, and fosters professionalism among servers.

This course is designed for licensees, managers, bartenders, servers, hosts, security or anyone who has contact with the drinking guest. This interactive manual includes a series of self-tests in each of the following chapters, one at the beginning and one at the end. Answers to these self-tests are found in the appendices. After finishing all the chapters in the manual, there is an open book final exam for you to complete. If you review each of the Chapter tests, you will be well prepared for the final exam. Once you complete this exam, forward it to the Licensing & Social Responsibility Branch of Yukon Liquor Corporation for marking. You will receive a certificate on successful completion of the course.

The *Yukon Liquor Act* and Regulations are referred to throughout this manual; they can be found on-line at: www.ylc.yk.ca

The rest of this chapter outlines the objectives of this course and will introduce you to some of the issues surrounding the service of alcohol.

PURPOSE

The purpose of this course is to educate people about the responsible service of liquor. Having good serving policies in place and using proper serving practices can prevent drinking to the point of intoxication in licensed establishments. The practices outlined here will provide guidance about the responsible management of guests and will help prevent harm due to alcohol.

The course is aimed at helping licensees, managers, servers and door staff understand their responsibilities on the job. This means being concerned for both your guests and the community at large. It is important for people who work in establishments that serve liquor to know how to respond in a reasonable manner to situations that might arise in the workplace.

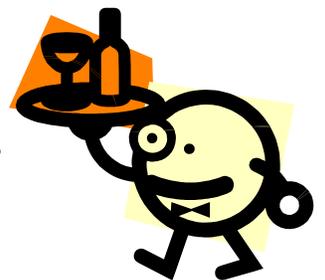
LEARNING OBJECTIVES

Upon completion of this course, you should be able to:

- Identify the legal and social responsibilities of licensees and staff.
- Describe the effect of alcohol on mood, behaviour, and performance.
- Estimate blood alcohol concentration.
- Recognize the signs of intoxication.
- Identify responsible operating and serving practices and strategies for preventing intoxication.

A BRIEF OVERVIEW OF SOME OF THE ISSUES

As you move through this course, you will learn more about the issues and responsibilities involved in serving alcohol. Here are just a few areas to consider.



You and the other servers are the most important people in the premises.

The business of selling alcohol is changing. The emphasis now is on responsible alcohol service rather than high volume alcohol sales. In order to serve alcohol responsibly, you must redefine your relationship to the customer.

You set the tone and determine acceptable behaviour. It is important that the guest know that you are in control, but it is also important that you exercise this control with caution. In order to do this, you must have the confidence that comes with seeing your role as VALUABLE, your job as a PROFESSION and yourself as a PROFESSIONAL.

**You offer a service that you have the right and the responsibility
to withdraw at your discretion.**

Customer Attitudes

"Most people like a drink, but very few like a drunk."

This sums up the attitude of many moderate and responsible drinkers who want to feel safe and comfortable when they go out for a few drinks. They want to have fun, socialize with friends, and return home safely. These guests enhance the atmosphere of your establishment and attract others like themselves. They are good for your business and they come back to spend money.

On the other hand, guests who drink to intoxication are often a source of embarrassment for you and other customers. They can be demanding, rude, and very difficult to handle. Unfortunately, these people tend to come back as well and may attract others with a similar drinking pattern. It is in your best interest to discourage the drinking behaviour of these guests. Their behaviour may chase your moderate drinkers away - perhaps to a competitor.



Minors (under 19)

In Yukon, the minimum age requirement to enter a liquor-primary premises as a customer is 19. Under the *Liquor Act*, it is your duty ensure that people under the age of 19 do not enter and are not served. (Minors can be served liquor in a restaurant, dining room or during a reception, as long as the liquor is purchased by a parent, grandparent or guardian. They can also enter liquor-primary premises for limited work purposes. See Appendix A)

You have the right to ask for proof of age from anyone who appears to be under the legal age. The most accepted form of identification is the Yukon Driver's Licence showing name, age and photograph. Anyone who appears younger than 19 and cannot produce identification when asked should not be allowed to enter. *(Refer to chapter 10 for more on this)*

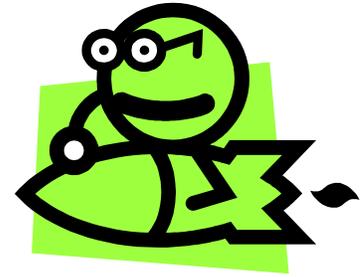


You do not have to serve anyone you think may be under legal drinking age.

**If you have any doubts about the validity of the identification,
do not accept it.**

Drinking and driving

Any action you take to prevent your guests from drinking and driving can save them from injuring themselves or someone else, and can also prevent them from committing a criminal offence. Your actions in this regard are particularly important because most lawsuits against licensees are the result of impaired driving accidents.



Intoxicated persons

It is illegal to allow any person who is, or who appears to be, intoxicated to enter or be served in licensed premises.

**You must refuse entry or service to anyone who is,
or appears to be, intoxicated.**

To avoid breaking the law, you must be able to recognize the signs of intoxication and refuse and/or stop serving alcohol to those who are in this condition. If it comes to the attention of the Liquor Inspectors that there is an intoxicated person or an underage person in the licensed premises, the licensee and staff are subject to disciplinary action – including fines for you and your employer, or suspension of the liquor licence.



Liability

Every time you serve alcohol to a person who is intoxicated, you expose yourself and your employer to a possible lawsuit.

**You and your employer could face legal action
if someone who has been over-served
then causes injury to themselves or to someone else.**

FOR EXAMPLE:

In a widely publicized case in Ontario, a hotel was held partly liable for damages of more than \$1 million for serving an underage drinker past the point of intoxication. The patron subsequently became involved in an automobile accident in which a passenger was severely injured and rendered a quadriplegic. The passenger and family sued the driver and the hotel. The driver had been drinking elsewhere, and the hotel had also served him several beers. **The courts held that the hotel employee should have been able to recognize that the patron was intoxicated at the time of service.**

In another case, the patron was well known to the hotel and its staff and tended to drink excessively, often becoming troublesome. An order barring this patron had been issued from the hotel in the past. On the night of the accident, the patron was served large quantities of alcohol, became intoxicated and was eventually ejected from the hotel. On the way home on foot, the patron was struck by a car. The driver and the hotel were sued. The claim against the hotel was based on its obligation to take reasonable care to protect the patron from personal injury. **The Supreme Court of Canada unanimously upheld the claim. The hotel was found partially responsible for damages.**

**It is clear that in the eyes of the courts,
licensees and staff are held accountable for responsible liquor service.**



What's New – July 2013

| | | |
|---|---|--|
| Fines and penalties for liquor related offences have increased substantially. | Bootlegging fines and penalties have been significantly increased. Fines for other offences are set at \$500 where there is an economic benefit (e.g. serving an intoxicated person), as opposed to \$200 for offences for an individual such as being intoxicated in a licensed premise. Repeat offenders can also be charged with offences that carry higher fines and penalties. | |
| The classes of licence have been changed. | Dining room/restaurant = food-primary , Cocktail lounge = liquor-primary , etc. The major difference is that minors are allowed in food-primary premises, but not in liquor-primary premises. As in the past, food must be available to customers in all licensed premises (e.g. appies, sandwiches & wraps, microwave burritos/pizza) etc. | |
| Food-primary customers do not need to eat a meal to be served liquor. | It is up to the licensee to decide what their house policy is. | |
| Liquor-primary premises no longer need to have hotel rooms. | | |
| The same licensed premises can change from food-primary to liquor-primary at a specific time of day, or on specific days. This requires two separate liquor licences. | This allows licensed premises to have a family dining atmosphere until a certain time of day, and then switch into a different atmosphere later in the day/evening. If they wished, they could also maintain a family dining business for certain days of the week, and then a bar-type business on weekend, in the same physical premises. | |
| Minors are allowed to: | Need written parental consent kept on the licensed premises for reference; must be at least 16 unless approved in writing by Yukon Liquor Corporation; must be supervised by the adult manager of the premises | |
| • | deliver liquor in food-primary premises | Does not include opening, pouring, or mixing of alcoholic drinks. |
| • | enter liquor-primary premises for limited work purposes | Examples include delivering food to a liquor-primary patron from a kitchen, crossing the bar to access a storage facility, and performing repair and maintenance work with a contractor. Does not include working as a server/bartender, clearing tables, or stocking coolers, in a Liquor Primary premises. Includes an underage performer setting up their equipment, doing a sound check, etc. |
| • | perform in liquor-primary premises | Does not include “adult” / “exotic” entertainment. Performers under 19 can only be in the bar when they are performing. |

FINES & PENALTIES – Liquor Act (LA) & Liquor Regulations (LR)

| Authority | Offence | Fine/Penalty |
|------------------|---|--|
| LA 70(1)(a) | Permitting intoxicated person in a licensed premises | \$ 500 |
| LA 89(1) | Consumption of liquor in a motor vehicle | \$ 500 |
| LA 90(1) | Underage consumption, purchase, or possession of liquor | \$ 200 |
| LA 90(4) | Underage in a liquor primary premises | \$ 200 |
| LA 90(5) | Sale or provision of liquor to a person apparently under the age of 19 years of age | \$500 |
| LA 90(6) | Failure to leave a liquor store or licensed premises on request | \$ 200 |
| LA 91(1) | Intoxicated in liquor store or licensed premises | \$ 200 |
| LA 93 | Sale or supply of liquor to an intoxicated person | \$ 500 |
| LA 113(1) | Consumption of liquor in a restricted public place | \$ 200 |
| LR 9(2) | Remaining in or entering a licensed premises or liquor store after being requested to leave | \$ 200 |
| LA 96(1)(a) | General penalty: 1 st offence | Ind: Up to \$2,000 and/or 6 months imprisonment. Corp: Up to \$5,000 |
| LA 96(1)(b) | General penalty: Subsequent offences | Ind: Up to \$3,000 and/or 12 months imprisonment Corp: Up to \$10,000 |
| LA 95.1 | Penalty for bootlegging: 1 st offence | Ind: Up to \$25,000 and/or 12 months imprisonment. Corp: Minimum of \$10,000 and up to \$50,000. |
| | Penalty for bootlegging: Subsequent offences | Ind: Up to \$50,000 and/or 12 months imprisonment. Corp: Minimum of \$10,000 and up to \$100,000. |
| LA 95.4 | Penalty for permitting intoxicated person on premises | Ind: Up to \$2,000 and/or 30 days imprisonment. Corp: Up to \$5,000 |
| LA 95.2 | Penalty for providing liquor to a minor | Ind: Up to \$10,000 and/or 12 months imprisonment. Corp: Up to \$20,000. |
| LA 95.3 | Penalty for providing liquor to an intoxicated person | Ind: Up to \$10,000 and/or 12 months imprisonment. Corp: Up to \$20,000. |

CONSENT OF PARENT

Name of minor: _____

Address: _____

Birth date: _____

I am the parent of the above-mentioned minor, and give my consent for him/her to:

deliver liquor to a customer in a food primary premises

(not to open, pour, or mix liquor)

enter a liquor primary premises for the purpose of providing entertainment to customers of the premises

(only during the part of the performance in which they are participating)

enter a liquor primary premises for purposes related to the person's employment

(not to deliver, serve, open, pour, or mix liquor)

Name of parent

Parent contact phone #

Signature of parent

Date

**THIS FORM IS TO BE KEPT ON THE LICENSED PREMISES
AND PROVIDED TO A LIQUOR INSPECTOR ON REQUEST.**

CHAPTER 2: Roles and Responsibilities

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Describe the roles and responsibilities of the licensee, the inspectors, the RCMP, the servers, and the Licensing & Social Responsibility Branch of the Yukon Liquor Corporation
- Understand the importance of following all terms and conditions of a liquor licence
- Understand the importance of obeying the *Yukon Liquor Act* and Regulations

▣ **Pre-Test**

What do you already know about the roles and responsibilities involved in liquor licensing?

1) Choose the **best** answer: Who is mainly responsible for ensuring that all rules and regulations are followed by the staff of a licensed premises?

- a) The licensee
- b) The inspector
- c) The staff

2) A server has the right to refuse service to anyone.

- True
- False

ROLES AND RESPONSIBILITIES

A Yukon liquor licence is a valuable asset to any business. The licence affects you and your community economically and socially. Every time a liquor licence is issued, the licensee assumes legal responsibilities associated with that licence. How important your liquor licence is to you is shown in your willingness to uphold those responsibilities. Any departure from your legal responsibilities could result in the suspension or loss of your licence. This could cause large financial problems for you and your business.

| COMPLIANCE FRAMEWORK | |
|--|--|
| Licensees and permit-holders are responsible for: | Yukon Liquor Corporation is responsible for: |
| <ul style="list-style-type: none"> • Adhering to the <i>Liquor Act, Regulations</i>, and related policies • Training and monitoring staff • Operating their establishment/event in accordance with the <i>Liquor Act, Regulations</i>, and related policies | <ul style="list-style-type: none"> • Providing training, education, and access to related information to licensees and permit-holders • Establishing and fostering constructive working relationships with licensees, permit-holders, and their staff • Developing and implementing a system to check that licensees and permit-holders are adhering to the <i>Liquor Act, Regulations</i>, and related policies • Using a combination of training, education, dialogue, inspection, and enforcement to ensure that the provisions of the <i>Liquor Act, Regulations</i>, and related policies are being met |

Role of Licensing & Social Responsibility Branch

The Licensing & Social Responsibility Branch of the Yukon Liquor Corporation regulates the liquor industry. It is responsible for liquor licensing and inspection throughout the Yukon under the *Liquor Act* and *Liquor Regulations*. The Branch works with licence and permit holders to promote voluntary compliance - to ensure that alcoholic beverages are sold and served in a legal and socially responsible manner.

The terms and conditions of a licence include rules to prevent over-consumption of liquor, illegal consumption by minors, unsafe operating conditions (such as overcrowding) or other problems.

The social responsibility role of the Branch involves educating the public about responsible service and consumption of alcohol. This education is done through public awareness campaigns (local and national), promotions, posters, and other communication about responsible service (dangers of drinking and driving, drinking during pregnancy, underage drinking). The monthly Licensee Information Bulletin (see *sample in Appendix B*) is an example of this material. Electronic versions are available at www.ylc.yk.ca.

Licensees and their staff are encouraged to participate in various training and information sessions, such as this BARS training course.

The Branch also works in partnership with other government departments and community stakeholders to address issues surrounding alcohol misuse and abuse.

Role of Licensee

Licensees are responsible for managing and controlling their establishment. They are required to obey the *Liquor Act* and Regulations as well as the terms and conditions of their licence.

It is the licensee's responsibility to understand how these rules affect the operation of their establishment and to follow them. While the licensee may not be on site at all times, they need to make certain all employees comply with the requirements of the *Yukon Liquor Act* and Regulations and terms and conditions in their absence. The licensee is also responsible for notifying the Branch about any changes made to the business or to the building in which they operate.

The privilege of holding a liquor licence comes with responsibilities. The liquor licence determines the type of liquor that you can serve and the hours that you can be open.

Every licence states:

*"The licensee is authorized to serve alcoholic beverages in the premises known as _____ **subject to the terms and conditions set out in this licence and to the provisions of the Liquor Act and Regulations.**"*

If the conditions of the licence are not met, the licence is open to suspension, cancellation, or other penalties.

Compliance & Enforcement

It is expected that licensees will voluntarily comply with the *Yukon Liquor Act*, Regulations and terms and conditions of their licence. Licensees receive educational material at the time of licensing and have ongoing communication with the Branch through inspections and other dialogue. If a licensee does not obey the *Yukon Liquor Act* or the terms and conditions of its licence, Yukon Liquor Corporation may begin enforcement action against the licensee.

Role of Inspector

Inspectors monitor licensed premises throughout the Yukon to ensure licensees are complying with the *Yukon Liquor Act*, Regulations and terms and conditions of the licence. They conduct regular inspections to:

- check whether a licensee is following the rules
- see if there have been any unauthorized physical changes to the premises
- identify any problems in the operation of the premises

It is good practice to get to know your inspectors, because they can provide assistance and information about how to properly operate your establishment, focusing on responsible serving practices and public safety. It is the inspector's job to identify instances of non-compliance, to promote voluntary compliance, and when necessary, to begin enforcement action against a licensee. A written report is provided to the licensee on every visit.



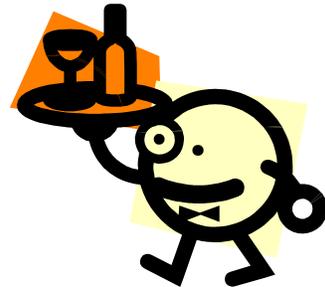
Role of the RCMP

Yukon Liquor Corporation works closely with the RCMP to enforce the *Liquor Act*. Members of the RCMP are also Liquor Inspectors. As part of their duties, RCMP officers may walk through an establishment, taking note of any evidence of violations, particularly any that threaten public safety or that may result in disturbances within the community.

When the RCMP notices a violation, they advise Yukon Liquor Corporation. Yukon Liquor Corporation follows up on all reports of violations, and enforcement action may result.

Liquor Inspectors, including the RCMP, must be given immediate access to all areas of your establishment when requested.

Role of Server



As a server, you are responsible for:

- Setting the tone in the premises
- Controlling activity on the premises
- Advising the manager and refusing entry to additional persons, when seating capacity limit is reached
- Following house rules or policies
- Working with other staff members as a team
- Ending liquor service at the time indicated on the liquor licence
- Ensuring premises are cleared of all patrons and drinks within half an hour of ending liquor service, in a liquor-primary premises
- Ensuring no liquor is brought into the premises, and no served liquor is removed
- Being aware of the provisions of the *Yukon Liquor Act* and Regulations

Servers are also responsible for refusing entry and service to:

- Minors (into liquor-primary premises)
- Intoxicated persons
- Noisy, violent, disorderly or profane persons
- Barred persons (someone who is banned from the establishment at the time)

**As a server, you have the right
to refuse service to anyone for just cause.**



Post-Test

Having completed this chapter, what do you understand about the roles and responsibilities involved in liquor licensing?

1) Members of the RCMP can act as liquor inspectors and can initiate enforcement action if the licensee has failed to follow the *Yukon Liquor Act* or the terms of the liquor licence.

- True
- False

2) How long after you have finished serving alcohol for the night should all patrons have left a bar?

- a) one hour
- b) half an hour
- c) fifteen minutes

3) The server is responsible for refusing entry and service when people are: (List them below)

- 1. _____
- 2. _____
- 3. _____
- 4. _____

CHAPTER 3: Alcohol is a Drug

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Understand how alcohol travels through the body, and the limitations of the body in dealing with alcohol
- Know the legal drinking limit for driving in Canada
- Understand how increases in Blood Alcohol Content (BAC) can affect a person

Pre-Test

What do you already know about alcohol as a drug?

1) All alcohol is removed from the body through urine.

True

False

2) What does BAC stand for?

ALCOHOL IS A DRUG



Because alcohol is legal, socially accepted, widely used, and enjoyed by most people as a means of relaxing and socializing, one can easily lose sight of its potential harm. As servers, you are working in an environment where drinking may be the primary activity as well as the primary source of revenue. This is the case for many licensed establishments.



**It is important that servers are aware
of the effects of alcohol**

Physiological Effects Of Alcohol

Alcohol has many effects on the body. Liquor affects not just the brain, but also the heart, lungs, and liver. As the alcohol travels through your body, it is absorbed, distributed, metabolized, and finally eliminated. Read on for further explanation of these terms.

Absorption

Alcohol affects everyone who drinks. As soon as you start drinking, alcohol enters your bloodstream very quickly.

Blood carries the alcohol to all parts of your body.

As alcohol reaches your stomach, some of it is absorbed and then immediately enters your blood. However, most of the alcohol passes into your small intestine where it is also rapidly absorbed into the blood stream. Once in the blood, alcohol spreads throughout

the body reaching the brain almost immediately. It takes about an hour for all the alcohol you have drunk to be in your bloodstream.

The rate at which alcohol is absorbed in the stomach and intestines will depend on how much food you have eaten and whether the beverages are carbonated. If your stomach is empty, the alcohol will pass into the bloodstream immediately and you will feel the effects more quickly. Many factors can affect the rate at which alcohol is absorbed. Chapter 4 will explain these in detail.

Distribution

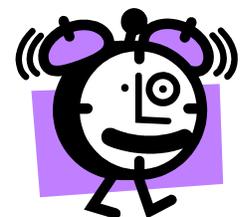
Blood carries the alcohol to all the tissues in the body that contain water. The brain, liver, heart, kidneys, and muscles contain the highest concentrations of alcohol. Alcohol is also present in the lungs, which explains why a breathalyzer test can measure it.

People who are used to drinking do not feel the effects of alcohol in the same way as those who do not drink as often; however, the quantity of alcohol in their blood remains the same. As larger amounts of alcohol reach the brain, it depresses brain activity and we begin to see the outward signs of intoxication. Chapter 5 explains these further.

Metabolism

The liver is the organ that breaks down the alcohol by a process called oxidation. The liver processes blood and tries to remove any foreign or harmful substances, such as alcohol. This process breaks alcohol down into carbon dioxide and water. The liver oxidizes and eliminates 90 - 95% of alcohol from the blood at the rate of one drink per hour. The remaining 10% is eliminated in the breath, urine, and sweat. However, this rate of processing alcohol applies only up to four drinks.

If a patron has more than one drink per hour, the liver cannot keep up with its job of processing the alcohol and the percentage of alcohol in the blood begins to rise.



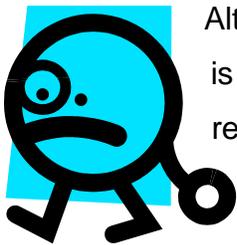
A healthy liver can metabolize alcohol at a rate of about 15 milligrams per 100 milligrams of blood per hour. As alcohol builds up in the body, the activity of the brain, heart, and lungs may slow down. Because the liver's capacity to break down alcohol is limited, it takes time to remove the alcohol from the blood

**General rule: It takes roughly one hour
for a standard drink of alcohol to pass through the body.
(This applies for up to four drinks, after which the process takes longer.)**

Elimination

It takes much more time to eliminate alcohol from the body than it does to drink it. Once alcohol is removed from the blood by the liver, it leaves the body via the kidneys in the form of urine. The kidneys also eliminate water - this explains the increased urine production and the consequent dehydration, causing thirst.

Alcohol is a Sedative



Although it may cause a slight feeling of well-being and relaxation, alcohol is not a stimulant; it is a depressant drug. As larger amounts of alcohol reach the brain, it depresses brain activity. This slows down the activity of the brain and spinal cord (central nervous system). You can then begin to see the visible signs of intoxication. At this point, the level of alcohol is very high. The toxic effect of the alcohol causes a drop in body temperature and a loss of muscle tone. Breathing also becomes more difficult.

**If too much alcohol is in the blood, alcohol poisoning can occur.
This can lead to a coma and even death, if timely action is not taken.**

The Standard Drink...Different But Equal

A drink is a drink is a drink. Any drinks which contain the same amount of alcohol will have a similar effect on the drinker. What matters is the volume and the percentage of alcohol the drink contains. The three drinks below have equivalent amounts of alcohol even though they may not appear to be equivalent at first glance. All three have approximately 0.6 ounces of alcohol and will have equal effect on the body.

STANDARD DRINKS



=



=



12 ounces Beer
x 5% Alc. Vol.
= 0.6 oz. alcohol

1 ½ ounces spirits
x 40% Alc. Vol.
= 0.6 oz. alcohol

5 ounces Wine
x 12% Alc. Vol.
= 0.6 oz. alcohol

Blood Alcohol Content (BAC)



A person’s Blood Alcohol Content (BAC) reflects the amount of alcohol in a person’s bloodstream. There are two considerations:

1. the rate at which alcohol enters the bloodstream; and,
2. the rate at which the liver takes alcohol out of the bloodstream.

The difference between the two determines the concentration of alcohol in your blood.

Under the Criminal Code of Canada it is illegal to drive with a BAC over .08%.

“Impaired” and “intoxicated” are not the same thing. Someone with a BAC of .08% or over is legally “impaired” for driving. However, they may not necessarily be “intoxicated”.

STANDARD DRINK LIMITS TO REMAIN UNDER .08% BAC ¹

| Weight in Pounds | Male | 100 | 125 | 150 | 175 | 200 | 225 | |
|------------------|-----------------------------|------------------------|-----|-----|-----|-----|-----|----|
| | Female | 100 | 120 | 150 | 180 | 210 | 240 | |
| | Over this # of hours | Drinks per hour | | | | | | |
| | 1 | 1 | 1 | 2 | 2 | 3 | 4 | 5 |
| | 2 | .5 | 1 | 1 | 1 | 1 | 1 | 1 |
| | 3 | .5 | .5 | .5 | 1 | 1 | 1 | 1 |
| | 4 | .5 | .5 | .5 | 1 | 1 | 1 | 1 |
| | 5 | .5 | .5 | .5 | .5 | .5 | .5 | .5 |
| | 6 | .5 | .5 | .5 | .5 | .5 | .5 | .5 |

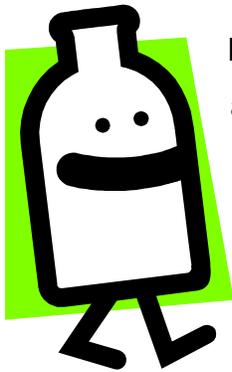
Here is an example of how you could use this chart :

In order for a woman who weighs approximately 150 pounds to have a BAC of less than .08%, she could drink two “standard” drinks, but in the second hour could only have one standard drink. In the third hour, she could only consume half a drink and she would have to continue at the rate of half a drink per hour.

It is possible for a person to show some signs of intoxication and yet not be legally impaired, meaning their BAC is less than .08%. On the other hand, a person may NOT be showing any signs of being intoxicated and yet have a BAC reading of over .08%. This demonstrates the importance of observing people's behaviour, as well as being aware of the number of drinks served.

The listing below gives an idea of some of the behavioural signs that you may see according to the different levels of BAC.

Less than .03 to .05% Feelings range from no effect to mild alterations of mood and feeling. Minor loss of control is happening but not detectable.



Between .05 and .10%: Increased feeling of relaxation, sedation, and/or euphoria. Feelings of stimulation and increased confidence are illusions because alcohol has put the "attitude" compartment of the brain "to sleep." Physical coordination is impaired and reaction time is longer.

REMEMBER - IT IS ILLEGAL TO DRIVE WITH A BAC OVER .08%

Between .10 and .20%: Further deterioration of motor control, judgement, and reaction time. Speech may be slurred.

Over .20%: Well-sedated. The brain is anesthetized to the point that the drinker has trouble knowing what is happening.

Over .30%: May go into a coma.

Over .40%: Usually fatal



¹ Source: Addiction Research Foundation
Yukon Liquor Corporation, July 2013

Fetal Alcohol Spectrum Disorder (FASD)

Experts believe that there is a high incidence of Fetal Alcohol Spectrum Disorder in the Yukon. While FASD is believed to be one of the most preventable causes of developmental disabilities, estimates indicate that 10-20% of all disabilities are due to the effects of alcohol consumption during pregnancy. It is also likely the cause of an even larger percentage of the behavioural and learning problems of preschool and school-aged children.

In BC, the incidence of Fetal Alcohol Spectrum Disorder is approximately 80 to 120 births per year. Studies have shown that in some regions, the prevalence of Fetal Alcohol Spectrum Disorder is 20% of all persons up to 18 years old.

Prevention

The fundamental reason for encouraging pregnant women not to drink is that stopping their alcohol intake, particularly in their first trimester, can reduce the risk of giving birth to a baby with FASD. NOT drinking is the best choice for protecting unborn babies.

If you feel a potential problem with a pregnant patron may exist in your workplace, offer her non-alcoholic beverages and discuss further service action with your employer.



Post-Test

Having completed this chapter, what do you now understand about alcohol as a drug?

Fill in the blanks:

- 1) The liver removes alcohol from the blood at the rate of 1 drink per hour for up to _____ drinks.

- 2) The legal limit of the amount of alcohol in the blood when driving in Canada is _____.

- 3) Choose the most accurate of the following statements:
 - a) The liver removes most alcohol from the body
 - b) The kidney removes most alcohol from the body
 - c) The liver and kidneys remove alcohol from the body in a 2-step process

- 4) Alcohol is dangerous to women who are pregnant because it may cause disabilities in the unborn baby. It is best to offer non-alcoholic beverages.
 True
 False

CHAPTER 4: Intoxication

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Know the definition of “intoxication” (as stated in the *Yukon Liquor Act*)
- Identify the many factors that can affect and contribute to intoxication
- Recognize conditions in and around a patron that may play a part in an increased level of intoxication in the patron.

Pre-Test

What do you already know about intoxication?

1) The setting in which a person drinks can affect their rate of drinking.

- True
- False

2) Choose the **best** answer: Which of the following does not have an effect on a person's level of intoxication?

- a) Gender
- b) Body weight
- c) Time of day
- d) Fitness level

INTOXICATION

The *Liquor Act* says:

“Intoxicated” and “intoxicated condition” mean the condition a person is in when their capabilities are so impaired by liquor that they are likely to cause injury to themselves or be a danger, nuisance, or disturbance to others.

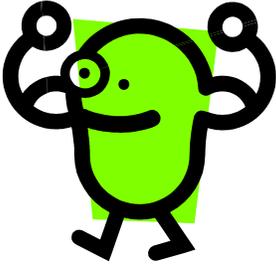
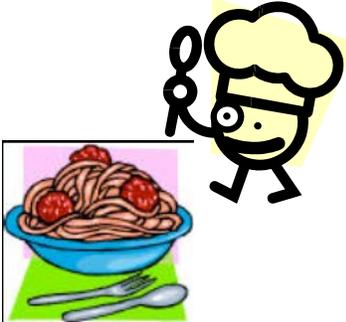
When people drink more than their body can dispose of, they begin to be intoxicated by the alcohol that has accumulated in their blood. You can determine their level of intoxication by a change in behaviour, attitude, and outward physical signs.

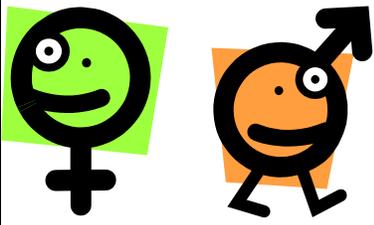
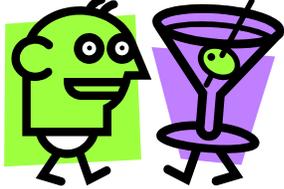
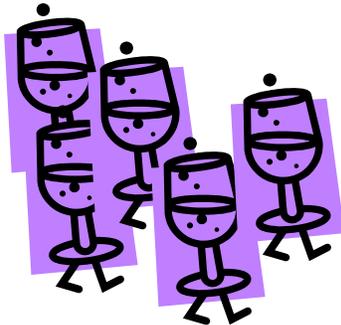
Factors Influencing Intoxication

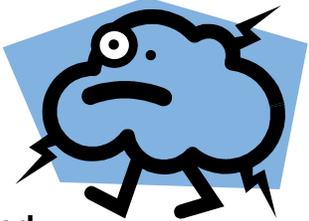
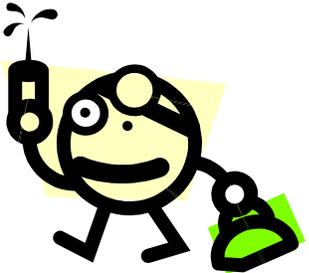
Although high levels of BAC cause intoxication, each person reacts differently. There are many reasons for this variation, listed in the chart below.

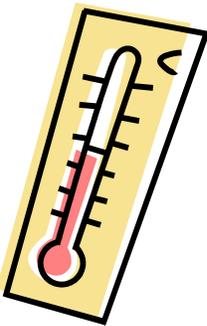
Remember: a twelve-ounce beer, a five-ounce glass of wine, and a one-and-a-half-ounce shot of spirits each contain about half an ounce of pure alcohol.

| | |
|---|--|
| <p>Amount of Alcohol</p>  | <p>The more alcohol consumed in a specific period, the higher a person’s level of intoxication will be.</p> <p>Doubles and drinks made with more than one type of alcohol contain more alcohol than standard drinks. In addition, when people play drinking games (e.g. chugging), these usually result in a higher BAC.</p> |
|---|--|

| | |
|--|--|
| <p>Rate of Consumption</p>  | <p>Alcohol is absorbed very quickly into the body. It takes the liver one hour to break down one standard drink per hour. Gulping drinks or drinking one after another in rapid succession will cause alcohol to accumulate in the bloodstream.</p> |
| <p>Body Weight and Build</p>  | <p>Body fluid volume (the amount of blood and other fluids in a body) varies according to body weight.</p> <p>Larger people generally have more body fluids to dilute alcohol.</p> <p>Alcohol will have less effect on a muscular person than on an overweight person because muscle tissue has more fluids to dilute the alcohol and fat cells do not absorb alcohol very well.</p> |
| <p>Food Consumption</p>  | <p>Food eaten before drinking alcoholic beverages does not absorb the alcohol, but slows its absorption into the bloodstream. On an empty stomach, alcohol reaches the brain in a few minutes and begins to affect behaviour and coordination.</p> <p>Fatty foods are more difficult to digest than other types of food and remain in the stomach much longer. Therefore, these slow the effects of alcohol.</p> |

| | |
|---|---|
| <p>Gender</p>  | <p>Women tend to have a higher proportion of fatty tissue and less water in their bodies than men of the same weight. This will result in a higher BAC if a woman drinks the same amount of alcohol as a man. Because women have less muscle tissue, they have fewer fluids to dilute the alcohol.</p> |
| <p>Experience</p>  | <p>Experienced drinkers or “chronic drunks” are trickier patrons to deal with because they conceal intoxication quite well.</p> <p>Experienced drinkers tend to increase the amount they drink over time in order to feel the same effects from alcohol as they did when they were new or occasional drinkers.</p> <p>You need to watch patrons who can disguise intoxication this way more closely, because they can reach dangerous levels of intoxication with little warning.</p> <p>Look for tell-tale signs of a potential problem, such as drinking alone, chain-smoking, disinterest in what is going on, and loss of motor control.</p> <p>Inexperienced drinkers can also pose a challenge. They may be “out on the town” for a good time, which may be obvious by their behaviour.</p> |
| <p>Tolerance</p>  | <p>The body adapts to the repeated presence of a drug, meaning users need higher doses to achieve and maintain the same effect.</p> <p>After prolonged regular drinking, the liver breaks down alcohol more efficiently and brain cells may become less sensitive to alcohol.</p> <p>In a person with high tolerance, it takes more alcohol to produce signs of visible intoxication.</p> |

| | |
|---|--|
| <p>Other Drugs</p>  | <p>Illegal drugs (including marijuana) and prescription medication (e.g., cough syrups, anti-depressants) can increase impairment levels by as much as 5 times.</p> <p><i>(additional information, Appendix C)</i></p> |
| <p>Fatigue and Stress</p>  | <p>Physical, mental, or emotional fatigue and stress make a person much more susceptible to the effects of alcohol.</p> |
| <p>Mood</p>  | <p>Alcohol usually exaggerates moods. A person feeling depressed will likely become more depressed when drinking.</p> |
| <p>General Health</p>  | <p>Healthy people break down alcohol faster than those in poor health do. This is because they have more blood in their bodies and their livers work more efficiently.</p> <p>Muscles have more blood flowing through them than fatty areas, so a body in better shape will have more blood to dilute the alcohol.</p> |

| | |
|---|---|
| <p>Carbonation & Temperature</p>  | <p>The carbon dioxide in carbonated beverages causes pressure in the stomach. This moves alcohol into the small intestine faster, where it is quickly absorbed. Warm drinks also enter the bloodstream faster than cold drinks.</p> |
| <p>Alcohol & Body Temperature</p>  | <p>Alcohol is a depressant, not a stimulant. It causes the pores in the skin to open, thereby lowering body temperature. As a result, alcohol can contribute to deaths caused by hypothermia.</p> |
| <p>Setting & Atmosphere</p>  | <p>Lighting, décor, music, type of clientèle, and seating patterns can affect a patron's behaviour and consumption of alcohol.</p> <p>A person drinking alone may consume more alcohol for something to do, whereas people drinking with friends may drink less because they are involved in conversation. On the other hand, friends may encourage more drinking by peer pressure, buying rounds, chugging, or other drinking games.</p> <p>People may consume more cold beverages when they are in a warm environment than in a cold one.</p> |

Post-Test

Having completed this chapter, what do you now understand about intoxication?

1) Aside from body weight and food, list three factors that could affect a person's level of intoxication:

- 1. _____
- 2. _____
- 3. _____

2) Choose the **best** answer: If an average male and an average female both have several drinks with the same amount of alcohol, what is the most likely outcome?

- a) He will have a higher BAC than she will.
- b) She will have a higher BAC than he will.
- c) They will both have the same BAC.

3) What is the definition of 'intoxication' according to the *Yukon Liquor Act*?

CHAPTER 5: Recognizing Intoxication

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Identify the areas of behaviour that can be affected by intoxication
- Identify behaviour that indicates possible intoxication
- Identify increasingly dangerous stages of intoxication
- Understand how the server should respond to the varying stages of intoxication

Pre-Test

What do you already know about recognizing intoxication?

1) Even a couple of drinks of alcohol can affect a person's behaviour.

True

False

2) What is the **best** answer:

Which of the following could be a sign of intoxication?

- a) Use of bad language
- b) Difficulty picking up a glass
- c) Tired, heavy eyelids
- d) All of the above

RECOGNIZING INTOXICATION

In order to do your job professionally, to avoid breaking the law, and to reduce the possibility of a lawsuit against your establishment you must be able to recognize the signs of intoxication.

It is clear that a person who has 7 or 8 drinks and staggers when they get up to go to the washroom is intoxicated. But what about the person who only has 2 drinks, becomes loud and obnoxious and annoys other customers? This person may be intoxicated as well, even though they have had very little to drink.

The effects of alcohol depend on a variety of factors for each individual customer. Signs of intoxication may appear in any order and not all signs may be seen. However, there is a general pattern of effects and these can be observed as someone drinks more and their level of intoxication increases.

Servers must use their skills of careful observation and sound judgement to serve alcohol responsibly.



The areas of behaviour that are affected by alcohol intoxication are:

- Inhibitions
- Judgment
- Reactions
- Coordination

As alcohol builds up in the body, the body is affected in various ways. The effects do not usually take place separately from each other, and the result is usually a combination of changes in behaviour.

Any changes in these areas should be monitored.

Loss of Inhibitions

Inhibitions are the controls we place on our behaviour and feelings. Alcohol relaxes these controls and allows us to loosen up and "let go a little". The initial signs of intoxication are:

- Overly friendly toward server and other guests
- Inappropriate speech volume for the situation:
 - volume is too loud with no competing background noise
 - too soft with no reason to be secretive
 - volume may go from low to high with changes in rate of speaking (racing then slow)
- Mood becomes tense
- Mood changes dramatically from happy to sullen and depressed, or the quiet person becomes loud, boisterous or obnoxious
- Use of bad language



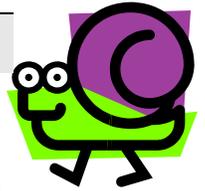
Poor judgment

As people continue to drink, they will act in a manner that indicates they are not thinking clearly and rationally. They will do things at this point that they may never do when not drinking. Some signs of poor judgment are:

- Testy or argumentative; may be in a strange, depressed, aggressive or bad mood
- Complains about the strength of drinks
- Begins to drink faster, orders doubles, becomes overly generous to friends and strangers, starts buying rounds
- Makes irrational or nonsensical statements



If your guests are showing some of the signs of loss of inhibitions and impaired judgment, you should begin to buy time for them by slowing down service.



Slowed Reactions

As a drinker's level of intoxication climbs, performing tasks that normally require little thought or skill becomes difficult. They have to concentrate to avoid dropping things or to follow conversations. Fine motor control (hand-eye coordination) deteriorates and the drinker seems to be functioning in a kind of slow motion. Other signs of intoxication are:

- Decreased alertness, short attention span, can't remember things, loss of train of thought, easily muddled
- Difficulty hearing you or understanding what is said
- Clumsiness, fumbling with change and other items
- Difficulty picking up glass, bringing glass to mouth
- Glassy eyes; bloodshot, lack of eye focus; loss of eye contact
- Slurred speech, difficulty in speaking distinctly, altered speech patterns (too fast, too slow), inability to say a particular word



- Speech volume may be too loud or too low for the situation
- Feeling dizzy, flushed or drowsy
- Sweating for no apparent reason
- Slow, shallow, or weak breathing



If your guest shows some of these signs, as well as loss of inhibitions and impaired judgment, you should stop serving alcohol.

Loss of Coordination

Significant impaired coordination indicates that your customer's gross motor skills (physical skills involving our large muscles) have been affected by the alcohol. Examples of such behaviours are when someone:



- Stagger or weaves when trying to walk
- Has difficulty standing upright
- Stumbles, has trouble moving around objects in path, bumps into furniture or other patrons
- Sways or dozes while sitting
- Is tired, eyes are heavy or closed, has a placid, fixed gaze
- Nods off, then jerks head upright
- Is unable to sit upright
- Spills drinks and is unable to find mouth with the glass.
- Has difficulty hearing you and responding to you
- Has difficulty picking up change or removing cards from wallet
- Falls down

**This guest is definitely intoxicated and should not be served.
Try to ensure that the guest does not hurt themselves or others.
When alcohol is served responsibly few guests, if any, should reach this stage.**

BLOOD ALCOHOL CONTENT (BAC) AND SIGNS OF INTOXICATION

A person showing signs of a BAC over .10 should be monitored more closely.



| BAC | Probable Effect |
|------------|--|
| .05% | Inhibitions relaxed. |
| .08% | Muscle coordination and driving skills are impaired. Legally impaired for driving. |
| .10% | Reaction time slows down. Loss of control and judgment. |
| .12% | Vomiting often occurs unless this level is reached slowly. |
| .15% | Balance and movement are impaired. |
| .20% | Coordination and perception are severely affected. |
| .30% | Many people lose consciousness. Most people cannot function. |
| .50% | Death |

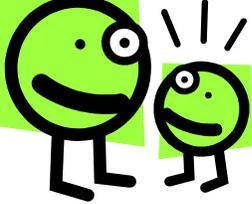
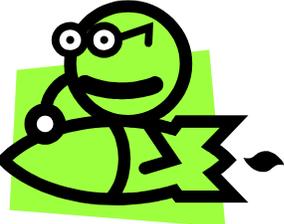
Example:

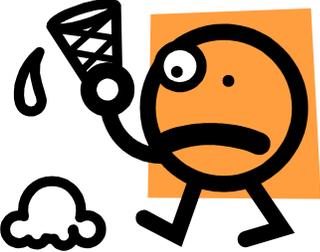
The following chart lists some of the effects of alcohol that you could expect to change the behaviour of a healthy 175 lb man with moderate drinking experience.

| Number of drinks in approx. one hour | 2 drinks | 3 drinks | 5 drinks | 8 drinks |
|---|--|---|---|---|
| BAC | .03 mg% | .06 mg% | .11 mg% | .18 mg% |
| Effects on Behaviour | Inhibitions: relaxed, talkative, "life of the party" | Judgment: impaired, orders a double | Reactions: Slowed, fuzzy speech, blurred vision, fumbling | Coordination: decreased, loss of balance, double vision, staggering |

Keep in mind the various factors that affect intoxication (body weight, food consumed, fatigue, etc.) when monitoring customers.



| | |
|--|--|
| <p>Loss of Self Control and Inhibitions</p>  | <ul style="list-style-type: none"> • Being overly friendly and starting conversations with strangers. • Using foul language, loud speech, repeating stories, jokes. • Making sexual advances. • Annoying other guests. |
| <p>Poor Judgment</p>  | <ul style="list-style-type: none"> • Complaining about strength of drink and prices • Changing consumption rates • Buying rounds for strangers • Arguing, making irrational statements • Ordering doubles • Being careless with money |
| <p>Reason, Caution, Memory</p>  | <ul style="list-style-type: none"> • Wanting to drive while intoxicated • Becoming entertaining, animated, boisterous • Repeating stories, jokes and conversations • Leaving a drink on a table or bar and ordering another • Forgetting where they are, where they came from and names • Unable to figure simple calculations • Losing train of thought or lack of concentration, eg., lighting a cigarette when one is already lit. |

| | |
|---|---|
| <p>Coordination & Balance</p>  <p>A cartoon character with an orange face and a sad expression is holding a drink. A single drop of liquid is falling from the glass, and a small cloud of vapor is rising from the base of the glass, suggesting the drink is spilling or the character is unsteady.</p> | <ul style="list-style-type: none"> • Unable to pick up change • Unable to sit straight in a chair • Missing the ash tray • Spilling drink, can't find mouth with glass • Swaying, drowsy • Knocking over drink • Stumbling, having trouble moving around objects • Bumping into things or people and/or falling down • Holding onto chair backs or tables when walking or standing • Holding feet wide apart when walking or standing |
| <p>Changing Vital Signs & Physical Appearance</p>  <p>A cartoon character with an orange face has a very red, flushed appearance. There are several droplets of sweat or liquid flying off the top of its head, and its eyes are wide and staring.</p> | <ul style="list-style-type: none"> • Sweating • Becoming drowsy, sleepy, passing out • Flushed, red face • Breathing becomes slower, more shallow • Glazed look in eyes • Red, glassy and squinting eyes • Slurred speech or speaks louder than necessary • Slower response time in movement, eg., unable to light a cigarette • Difficulty seeing and hearing |

Post-Test

Having completed this chapter, what do you understand about recognizing intoxication?

1) Name the 4 areas of behaviour in which the effects of intoxication can be seen:

1. _____
2. _____
3. _____
4. _____

2) What should you do if a customer is showing signs of poor judgment, such as:

- beginning to drink faster;
- complaining about the strength of drinks;
- being unusually argumentative, depressed OR on the other hand, overly generous in buying rounds, etc;

a) ignore the behaviour and continue serving the customer as usual

b) slow down service

3) How **few** drinks (on average) might it take for a healthy man weighing around 175 lbs, who has a moderate drinking experience, to begin to show signs of poor judgment? _____ **drinks in an hour.**

4) A customer who is showing obvious signs that he/she has lost some motor coordination (i.e., spills drinks, falls down, has difficulty sitting upright or standing, staggers) is clearly intoxicated and should not be served.

True

False

5) A person with a BAC over ____ should be monitored more closely.

CHAPTER 6: Preventing Intoxication

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Understand how you can monitor patrons so that no one is served to the point of intoxication
- Identify what factors can prevent intoxication
- Understand the length of time involved in sobering up

Pre-Test

What do you already know about preventing intoxication?

1) Which of the following practices can you use to monitor alcohol consumption in your guests:

- a) talking with guest when they first arrive
- b) serve drinks one at a time to a guest
- c) wait for the guest to reorder (do not ask if they want more until they are finished)
- d) all of the above

2) Eating food before or while drinking alcohol can slow the intoxication process.

- True
- False

PREVENTING INTOXICATION

To avoid breaking the law and to reduce the risk of liability, you must not serve a person who is or appears to be intoxicated. You must determine how alcohol is affecting a patron by carefully observing changes in behaviour. To do this, watch for the four stages of intoxication as explained earlier in chapter 5.

Chat & Check

Below are some useful tips to help you to monitor alcohol consumption and keep control of liquor service. Do this by using a technique called “Chat and Check”.

The purpose of Chat and Check is to find out how much alcohol you can serve your guests. You can do this when greeting, seating, and serving your guests. Chat with your patrons to assess the following:

Age

- ✓ Is the guest old enough to be served?



Initial Condition:

- ✓ Has the patron already been drinking? If you suspect prior drinking, you must decide whether you will serve one drink or refuse service entirely.
- ✓ Does the patron exhibit behaviour that is unusual and which may indicate the person is taking drugs/medications? Combining drugs and alcohol can increase intoxication levels.
- ✓ Is the person in a good mood? Do they seem tired or lively, happy or sad, anxious or calm, shy or outgoing? It is important to note the mood of your guests at the beginning so you can look for changes as they drink. Significant change or increase in displays of mood and behaviour may be a sign that a person is becoming intoxicated.



Weight and Gender:

- ✓ Is the guest a man or woman? Note the size of the guest. Generally, people can be categorized as small, medium or large. Women, when compared to men of similar size, will have a lower alcohol capacity.

Count Drinks:

- ✓ Keep track of the number of drinks consumed and how often they order.
- ✓ If the guest is running a tab, look at the guest's bill for the number of drinks served. Or carry a small pad of paper and make a check mark for each drink served.
- ✓ When counting drinks, be aware of how long it takes the body to process and eliminate alcohol.
- ✓ If your section becomes so overloaded that you cannot manage your customers comfortably and responsibly, let your manager know.
- ✓ Cash bars can be difficult to monitor if the bartender is the only person serving and monitoring the guest's consumption of alcohol. Consider assigning at least two staff members for this type of function.



Wait for the Guest to Reorder:

- ✓ Wait for the guest to reorder and do not ask if they want more until their current drink is finished.

Be Less Available for Service

- ✓ When you're concerned about the drinking rate of a guest, be less available for service. Don't ignore the guest; acknowledge the efforts to get your attention, however, don't rush to serve.

Manage the Buying of Rounds

- ✓ When a guest orders a round for the table, acknowledge the order, then politely and tactfully ask each person if they would like to have the drink ordered for them. Some may decline.

Offer Food:

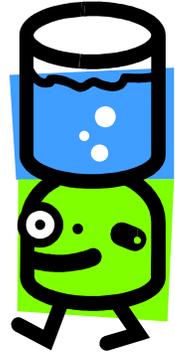
- ✓ Suggest food by presenting your menu. Provide non-salty snacks at all tables as part of the service (salty snacks will make patrons thirsty and could increase drink consumption).

Serve One at a Time:

- ✓ Serve one drink at a time

Offer a Spacer Drink:

- ✓ Offer a spacer drink (non-alcoholic drink) which will allow time for the body to eliminate some alcohol. Alcohol free beer and wines, mocktails and other beverages can increase total beverage revenues. Some provide higher profit margins.



Use different types of glasses for non-alcoholic drinks.

- ✓ Or be more direct and simply bring a free cup of coffee, non-alcoholic drink, or a glass of water.

Serve Water with Straight Drinks:

- ✓ Always serve straight drinks with water on the side whether ordered or not.

Observe Customer Behaviour:

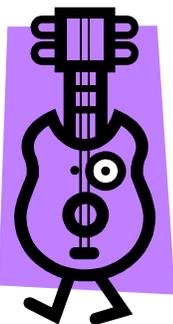
- ✓ Continue to “chat and check” for signs of intoxication each time you take an order, serve a drink or pass by the table. Adjust service as necessary.
- ✓ Has the customer eaten lately?
- ✓ Is the guest driving?
- ✓ Has the guest indicated in any way an intention to drink excessively?

Other Factors That Can Prevent Intoxication



Door Control: Having someone monitor the entrance to the establishment can be used effectively to send the message, “This establishment cares who its patrons are and what they do”. Clubs or bars that attract younger patrons should establish a permanent station for checking ID and for signs of intoxication.

Lighting: Lighting should be sufficient to see patrons clearly and to create a positive and cheerful atmosphere. Establishments with reasonable lighting report fewer problems with over-consumption than those with very low lighting.



Music: Soft background music is relaxing and tends to encourage responsible behaviour.

Sobering Facts About Sobering Up

When your patrons stop drinking, their blood alcohol concentration will peak an hour after their last drink, level off, and then begin to decline steadily by about 15 mg% per hour. The liver removes alcohol from the bloodstream at this relatively constant rate, which is approximately 1 drink per hour for up to 4 drinks. Therefore, if your guest has a BAC of .09mg%, it will take 6 hours to return to a BAC of 0 mg%. (90 divided by 15 = 6) This process of elimination is known as “sobering up”.

There is no way to speed up the “sobering up” process.

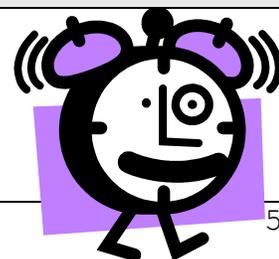


There are many misconceptions about ways to become sober more quickly. However, none of them work. The following are some sobering facts about sobering up:

- If a guest has a BAC of .08 %, it will take at least five hours to return to a BAC of zero
- Drinking coffee may increase alertness, but it doesn't improve the body's ability to function - it only creates a wide-awake drunk
- Exercising and dancing may inspire sweating - but do little to sober a person up
- Weight or tolerance for alcohol does not affect the rate of elimination. An experienced drinker takes just as long to eliminate alcohol as a novice drinker
- There is **nothing** anyone can do to speed up the process of sobering up

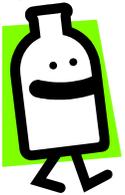
Time is the only thing that will sober someone up.

Giving the body TIME to remove alcohol is the ONLY way!



REALITY

It takes a long time to sober up. There will not be time for intoxicated patrons to sit around your establishment long enough to sober up.



It is important not to serve anyone past the point of intoxication, so they will be safe when they leave.



Monitor your patrons to make sure they do not become intoxicated. If a guests appears to be intoxicated, do not serve them any more alcohol and have them leave the premises. Follow the “Chat and Check” procedures above to try to make sure your establishment is a safe environment for everyone

It is important that patrons do not become intoxicated, and in particular, that they do not leave in intoxicated state and harm themselves or others. This subject will be discussed further in chapter 12.

Post-Test

Having completed this chapter, what do you understand about preventing intoxication?

1) What is a spacer drink and why should it be offered to guests?

2) When a patron orders a round for the table, you should automatically bring a drink for each person seated at the table.

- True
- False

3) Fill in the blank:

The only thing that can sober you up is _____.

CHAPTER 7: Managing the Difficult or Intoxicated Patron

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Understand how best to deal with an intoxicated patron
- Understand your responsibilities in managing guests who are intoxicated
- Identify the necessary steps required when asking a patron to leave
- Determine when using reasonable force is appropriate
- Identify the difference between reasonable and excessive force and know how to limit actions to reasonable force

Pre-Test

What do you already know about managing a difficult or intoxicated patrons, using reasonable force?

1) If a patron refuses to leave, force may be used to remove them.

- True
- False

2) If you can't get a person to leave or a weapon is involved, what should you do?

3) Once an intoxicated person leaves your establishment, you are no longer responsible for his/her safety.

- True
- False

4) It is important to makes notes after an incident dealing with an intoxicated patron takes place.

- True
- False

MANAGING THE DIFFICULT OR INTOXICATED PATRON

If the strategies outlined in the previous chapters do not work, you will be faced with the problem of managing intoxicated people.

You may lack confidence in your judgement of their state of intoxication, especially if the guest is not causing any trouble. If you have intoxicated patrons at your workplace, regardless of whether you have served them, you are in violation of the law and could be liable if they injure themselves or others. Should an injury, damage, or death result despite your best efforts, your liability in the situation may be considerably reduced if you can demonstrate you made every reasonable attempt to take appropriate action. You will learn more about liability in Chapter 12.

Slowing and refusing service requires tact, understanding, assertiveness and confidence by the server and manager. Remember, even if the situation has gotten out of control, you can still manage it responsibly with swift and appropriate action.

**You have the right and the responsibility
to withdraw service at your discretion.**



INTERVENTION STRATEGY STEPS

An effective intervention strategy has four key steps:

1. Assess the situation
2. Delegate specific responsibilities
3. Take action
4. Follow up with staff and logbook

1. Assess the Situation:

When dealing with a difficult patron, assess the situation. Do not jump to quick conclusions. Ask for vital information about the patron(s) and determine what other information, if any, is needed. It is important to decide how to handle the problem before you get directly involved in it.

2. Delegate Specific Responsibilities:

At this point, decide who does what: which parts of the problem your employer will handle (e.g., going to talk to the patron), and which parts of the problem you will handle (e.g., calling a taxi, friends, or the police).

3. Take Action:

When dealing with intoxicated patrons, start by politely explaining that the law requires you to ask them to leave, and that under the law intoxicated people may not remain on a licensed premise. Avoid confrontation; do not “corner” your customers. Avoid threatening statements and judgemental comments. Be polite and firm. Do not bargain or back down.

4. Follow Up:

As soon as you have taken care of the incident, discuss the situation with your supervisor. Record the incident in a logbook while it is still fresh in your mind. 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.

This record will help you to identify persistent problems and encourage you to review your house policy from time to time.

NOTE: There is a sample Incident Log Sheet in Chapter 12 on “LIABILITY”

Managing The Difficult Or Intoxicated Patron

Here are some methods for handling intoxicated customers:

Be sure no more alcohol is served.

Remember – your safety and the safety of your patrons is most important!



➔ Minimize the Confrontation:

- Make a polite but firm statement that no alcohol will be sold to the customer.
- Speak to the customer directly and privately (if possible) to avoid embarrassment. Be respectful and non-judgmental.
- Stay calm, firm and assertive. Do not bargain, give lengthy explanations, defend your decision, or get into an argument.
- Minimize confrontation and if necessary, get help from a sober guest in the same party. Often, they will accept advice from a friend if not from you.
- Stand sideways while speaking as a face-to-face discussion could encourage hostility.
- Ensure back up is available. Next time you approach the guest, bring a staff member or manager with you.

➔ Use Non-Judgmental Language:

- Avoid judgmental statements using the word “you”. Instead, focus on yourself and the problems you will have if you serve the person.
- Try statements like: “I can’t serve you another drink”; “I may lose my job”; “It’s against the law for me to serve you”; “We could lose our licence if I serve you”.

→ Do Not Bargain or Back Down:

- Do not bargain or back down once you have made your decision.
- Do not allow the customer to draw you into an argument. They must understand that you are firm and will not negotiate or bargain.
- They may try to question your authority, undermine your credibility, and lead you into an explanation, defence, and argument. It is best to make your statement and then walk away so that the message can sink in.
- If the guest argues, simply repeat the statement, and then change the subject to alternative drinks or transportation. Turn your side to the customer and walk away.
- Record the incident in the logbook.

→ Do Not Allow Someone Else to Buy for an Intoxicated Person:

- Allowing someone else to buy for an intoxicated person is also illegal. Keep an eye on tables where one of the customers has been cut off.
- You can confiscate drinks and ask customers to leave if they are buying for someone who is intoxicated.
- You might also want to warn customers of their personal liability.

➔ **Get Them Home Safely:**

The approach you decide to take when handling an intoxicated patron who wants to drive may be the most important decision regarding responsible liquor service. Here are some methods that may help to prevent a patron from driving while impaired:

- Know your house policy for taking care of impaired guests.
- Be firm and insist on making alternative arrangements by having a designated driver drive the patron home, or call a friend or family member to come and pick up the patron.
- Offer free overnight parking.
- Try to hold onto the person's car keys until they are sober. Remind them of the penalties for drunk driving: having their vehicle impounded for at least 30 days, and losing their driver's licence for at least a year.
- Call a cab to take the customer home. This could mean picking up the cab fare (depending on house policy) or arranging for discounted fares with a cab company.
- Keep a "safe ride home" fund or a "ride jar" where customers can leave spare change in case a customer does not have cab fare.
- Arrange for a room for the guest.
- Promote the use of a "designated driver" program where one member of the group abstains from drinking alcohol and agrees to drive the others home.
NOTE: *Over-serving patrons because they have a designated driver is still unacceptable.*
- If a guest refuses your help, note it in the logbook. If he/she insists on driving while impaired, call the RCMP.



→ Work as a Team:

- Talk with other staff and provide support to other staff members when required. Relaying information about the customer's drinking to other staff is important whenever a customer is near or at visible intoxication.
- Ensure back-up staff is available if needed, and that other staff will know the situation coming in.
- When everyone is working together, someone may notice a development others have missed or overlooked.
- Staff members must learn about a developing situation with a customer before it becomes a problem.

→ Call for Assistance:

- If the guest is uncooperative or threatening, call for assistance from the manager.

→ Use of Force and Police Assistance (Last Resort):

- If the situation is getting out of control, call the police for assistance.

These strategies for managing intoxicated guests should be effective in most cases. However, each situation is different and may require a slightly different approach. You have a style of your own, and should try to incorporate these suggestions into your style.



Fight prevention guidelines

The majority of fights start because a person is intoxicated. Use of force should be the last resort. Instead, try to use the following strategies to prevent conflict.



→ Stop the Fight Before it Starts

- Ensure that an adequate number of staff is on duty so that they can properly monitor guests.
- Be alert for trouble signs, note any change in atmosphere and take immediate action. If necessary, increase the level of lighting, decrease the volume of music. Create a distraction (e.g., startle the patron or get their attention by speaking loudly, making a loud noise, or sounding a loud instrument). Verbal arguments usually precede physical fighting.
- Intervene in a friendly manner and explain that fighting isn't allowed in your establishment.



→ Use Security Staff

- Have enough security for the size of the crowd.
- Do not overcrowd; have door staff that use counters to keep track of the number of patrons entering.
- Hire staff who know how to interact with people in a polite and respectful manner. They should also know how to be clear and firm when necessary. Staff with these skills are more effective in dealing with guests and preventing trouble.

Using Reasonable Force

Section 37(1) of the *Criminal Code* states:

“Everyone is justified in using force to defend himself or anyone under his protection from assault, if he uses no more force than is necessary to prevent the assault or repetition of it.

(2) Nothing in this section shall be deemed to justify the wilful infliction of any hurt or mischief that is excessive, having regard to the nature of the assault that the force was used to prevent.”

Under Yukon liquor laws, a licensee may request that a person leave the premises immediately. The licensee has an obligation to see that a person does not remain on the premises unlawfully, or is on the premises for an illegal purpose. If the person does not leave, the licensee may remove the person or cause the person to be removed **by the use of no more force than is necessary**.

Only reasonable force can be used in ejecting a person. Reasonable force is generally considered to be that degree of force which is not excessive and is appropriate in all the circumstances of that case.

What constitutes excessive force depends on all the circumstances and is decided in each case upon its own facts. It is important to keep in mind that acting “reasonably” means behaving in a way that is the standard “adopted in the community by persons ordinary intelligence and prudence.” [Arland V Taylor (1955)]

Ejecting A Patron And Reasonable Force

The following principles apply to ejecting a guest, and the use of force to do so.

- No force whatsoever can be used until the person is asked to leave and is given the opportunity to do so
- If the person refuses to leave, the staff may take hold of the patron and physically lead him or her to the door
- Reasonable force, and not excessive force, may be used to eject a guest who physically resists
- Force that is likely to cause harm cannot be used simply for the sole purpose of ejecting a person. Such force can only be used in self-defence and then only if there is some danger to the person
- All force used must be used in connection with the ejection of the guest and not for any other reason

Once a guest has been ejected, further force cannot be used.

TIPS FOR EJECTING A PATRON:

- Be reasonable and calm.
- If necessary, try to calm the person down first and then get him/her to leave.
- Make sure the amount of force is appropriate to the situation.

- You must ask the person to leave first. If they refuse, you can take their arm and lead them to the door.
- You cannot use force that would cause harm unless it is in self-defence, and then only if there is some danger from the person you are ejecting.
- Once you have ejected a person, you can no longer use any force.
- Do only what is necessary to subdue a customer who is attacking you or other people.
- Never use force to “teach a lesson” or “send a message”.
- If you cannot calm the person down, get the person to leave, or if a weapon appears, call the police immediately.
- Make sure you follow your house policy when using force and record the incident in the logbook. You may also want to discuss this further with the RCMP.

Case Law: Example of Excessive Force - *Belcourt v. Edmonton Royal Hotel*

This case provides an example of excessive force, and illustrates that a patron who is asked to leave must then be permitted to do so.

A woman was in a lounge with her sons. One of them threw a chair when denied a drink by a bartender, and was forcibly ejected. The bartender tapped the woman on the shoulder and told her to leave. The bartender followed her to the door and pushed her out as she was exiting. She fell and broke her leg. The court found on the evidence that the initial tap on her shoulder would have been sufficient to get her to leave, and that the push out the door was unnecessary. Therefore, the force was found to be excessive and the hotel was found liable for her injury.

The Misuse Of Force

There are factors that can prove use of force was not reasonable. This means that the assaulting employee was not acting within the scope of his/her job and place of employment. These factors are:

- that the assault did not occur during an ejection or during an effort to keep the peace
- that the assault occurred off the property of the premises
- that a manager or supervisor was present, but did nothing to discourage the assault or alternatively, condoned it
- that the assault was particularly vicious and unprovoked

The Courts are also critical of an employer who makes no investigations into the qualifications or backgrounds of his/her employees and where an employer fails to properly train, instruct, or supervise employees as to appropriate conduct in ejecting patrons. They are also critical where the employer knows or ought to have known of an employee's propensity to violence or the employer deliberately hires a "bully" type and permits that employee to exercise their own discretion.

Remember These Points:

- ⇒ Identify yourself as a person who has the authority to ask a person to leave
- ⇒ Always ask the customer to leave
- ⇒ Give the person reasonable time to leave

**Where you cannot guarantee your safety or the safety of your customers,
the preferred option may be to call the police and have a charge laid.**

Post-Test

Having completed this chapter, what do you now understand about managing a difficult or intoxicated patron using reasonable force?

1) What is the first and most important thing to do when handling a patron who is intoxicated?

- a) turn up the lights
- b) do not serve any more alcohol
- c) call the RCMP

2) If a friend of a patron who is intoxicated wants to buy both of them a drink, it is all right for you to serve them both.

- True
- False

3) If an intoxicated patron insists on driving while impaired despite your attempts to provide other options, you should _____.

4) What are three important points to remember when attempting to remove a patron from a premises:

5) Please choose the **best** answer below--

It is important to inform your manager and co-workers of intoxicated guests who have been cut off because:

- a) They could be a potential source of risk to yourself, coworkers and other guests.
- b) You do not want others to continue serving them.
- c) You will want to document the incident and have a witness as backup.
- d) All of the above

CHAPTER 8: Controlling the Door

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Know some important techniques to use when monitoring the door to a premises where alcohol is being served
- Understand the concerns and issues with overcrowding

Pre-Test

What do you already know about monitoring and controlling the door?

1) The only purpose of having someone monitoring the door is to welcome everyone in.

- True
- False

CONTROLLING THE DOOR



Certain practices are used to monitor patrons at the door. Clubs or bars that attract younger patrons should establish a permanent station for checking ID and for signs of intoxication.

Entry To Minors

At the door, a sign should be posted showing that minors cannot enter a liquor-primary. Know how to deal with minors at the door. Be pleasant and try not to be too aggressive. Be friendly, but firm and tell minors that you cannot allow them to enter.

For door control, staff who have taken the BARS course should be used. On-the-job training and updates should be given to all staff regarding door control. Door staff that are experienced and diplomatic will be most effective in dealing with patrons and taking care of difficult situations. The RCMP should be consulted regarding “reasonable force”, and what the door staff may need to do, to remove troublesome patrons.

Reasons To Refuse Entry

**You are required by law to refuse entry
to a patron who is intoxicated, and
to a minor trying to enter a liquor-primary premises.**

If you don't refuse entry when the law requires you to, or when someone is at risk of injury, you could be held responsible and could be charged by the RCMP. The business could also have its licence suspended or revoked. There is also the possibility that you could be sued.

Overcrowding

Each licensed premises has a maximum number of people allowed inside, as determined by law. The maximum capacity is on the liquor licence. This capacity includes entertainment staff and performers, but not serving staff. It is illegal to go over this limit. Counting the number of patrons on the premises ensures the legal capacity is not exceeded. It also helps to provide for an adequate guest-to-staff ratio.

Overcrowding could result in:

- increased risk of violence and assaults
- over-service of alcohol by servers unable to keep track of the amount served to a patron
- serious injury or death in case of a fire or other emergency situation
- damage, breakage, and increased wear and tear
- poor service because staff cannot reach and properly serve patrons

Tips And Techniques



- assign at least two staff members to the door when it is busy
- ensure house policies regarding door control are current and reviewed frequently
- post a sign showing that management reserves the right to deny entry to intoxicated persons and to minors, in the case of liquor-primary premises. If the rules are

posted for patrons to see, and if management's policy is clearly stated, there is less chance of conflict

- assign staff who have experience in evaluating the age and condition of each guest
- use a professional attitude and good judgment when refusing entry to people who are intoxicated or possible trouble-makers
- ensure that the crowd does not exceed your establishment's legal capacity, because the more people, the more potential for problems. The larger the crowd, the more security staff you should have on duty

POST-TEST

Having completed this chapter, what do you understand about monitoring and controlling the door?

1) Does the maximum occupancy include all staff as well as patrons?

True

False

2) What might be the legal outcome if you do not refuse entry when the law requires you to do so?

CHAPTER 9: Barring

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Understand the procedures for barring persons from licensed premises
- Understand the basic intent of the *Yukon Human Rights Act* and how it relates to how you perform your duties

Pre-Test

What do you already know about barring?

1) Under certain circumstances, a person may be barred from a licenced premise.

- True
- False

BARRING

A barring order prevents a person from entering the premises for a reasonable period of time, as determined by the licensee or person in charge. A person who has been forbidden entry to more than one licensed premises may be prohibited from entering any other licensed premises by the licensee or person in charge.

Liquor Regulations 9(2) state:

“no person shall remain in a licensed premises after being requested to leave by the licensee or person in charge for being intoxicated, riotous, noisy, disorderly, quarrelsome, violent, profane, or acting in a manner that contravenes any Federal Statute, Territorial Act, or Municipal By-law.”

Subsection 9(3) gives a licensee or person in charge the authority to bar a person from the premises for the above reasons.

Yukon Human Rights Act

The *Yukon Human Rights Act* plays a key role in how licensees and staff conduct themselves in the performance of their duties. The Act’s intent is to legislate against all forms of discrimination (e.g., race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, or sexual orientation).

You must respect these rights when making decisions to permit or deny access, to eject, to control patrons or to bar patrons from your premises. The licensee or staff member must use the reasons stated above in regulation 9(2) when making decisions and must not base their decision on discriminatory considerations.

Barring Procedures

- Tell the person verbally that they are barred, and for how long, giving reasons(s). Advise them that they will receive the barring order in writing, and let them know that they can appeal the barring to the Yukon Liquor Board.
- Issue the written barring order, and deliver it either by hand or by registered mail within 30 days. (A blank barring order is shown on the following page.)
- Send a copy of the barring order to the local RCMP and to the Director, Licensing & Social Responsibility, Yukon Liquor Corporation.

BARRING ORDER

FOR

Name of Licensed Premises

P.O. Box Number or Street Address

Name of Community, Yukon, Postal Code

Date: _____, 20____.

HAND DELIVERED **REGISTERED MAIL**

TO: _____

PROHIBITION FROM ENTERING THE LICENSED PREMISES AND UNLICENSED AREAS OF THE _____

Name of Establishment

Be advised that pursuant to the LIQUOR ACT REGULATIONS, you are hereby prohibited from entering the _____ of the

licensed premises and the unlicensed areas

_____, _____, Yukon.

Name of Establishment

Name of Community

If you do enter the premises, the police will be notified and charges may or may not be laid against you.

This prohibition is effective immediately and will continue until _____.

Date Ending Barring

REASON FOR THIS PROHIBITION

At and about _____ on the _____ day of _____, 20____, you were on the premises in a condition which was prohibited by the Yukon Liquor Regulations, section 9(2) and for the following reasons:

You have the right to appeal this prohibition to the Yukon Liquor Board, c/o Yukon Liquor Corporation, 9031 Quartz Road, Whitehorse, Yukon, Y1A 4P9. The telephone number is 867 667-5245 or Fax 867 393-6306. An appeal hearing will be arranged for you if you decide to appeal.

Manager,

Signature of Manager

Name of Establishment

cc: Royal Canadian Mounted Police, _____, Yukon.

cc Yukon Liquor Corporation, Whitehorse, Yukon.

Post-Test

Having completed this chapter, what do you understand now about barring?

1) Which Yukon Act guides how licensees and staff should perform their duties without discrimination?

2) A person who is barred from a premises will be advised verbally and in writing.

- True
- False

CHAPTER 10: Minors – A Major Problem

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Spot minors attempting to enter a liquor-primary premise illegally
- Identify a fake ID

Pre-Test

What do you already know about minors and premises where alcohol is served?

1) A patron may be asked to provide more than one piece of ID.

- True
- False

MINORS – A MAJOR PROBLEM

Minors are not allowed in liquor-primary premises in the Yukon, except for limited work purposes. These include delivering food from a kitchen, bussing tables, working as a performer, or working with a contractor on repairs. In these cases, the licensee must have written parental consent available for inspection on the premises; the minor must be at least 16 unless otherwise approved by Yukon Liquor Corporation; and the licensee must provide close adult supervision of the minor at all times.

The legal drinking age in Yukon is 19. A minor can, however, be served alcoholic beverages in a private residence or food-primary premises, or at an event with a reception permit as long as the liquor is purchased by his/her parent, grandparent or legal guardian.

More than any other group, these inexperienced drinkers are most likely to drive irresponsibly and cause accidents while under the influence of alcohol. Serving minors, except where noted above, leaves you open to both criminal and civil legal action.

Spotting Underage Drinkers

Looking for certain behaviours can lead to identification of underage drinkers. The following is a list of such behaviours.

- **Unfamiliar with products or pricing**

Because minors are not allowed to buy alcohol, or consume it in most public places, they often do not know what is available or how much it costs.

- **Only use advertised product names**

A minor might order a “Labatt’s Blue” instead of a “Blue”, or a “Budweiser” instead of a “Bud.” Minors are not usually familiar with the abbreviations that experienced customers use in ordering.

- **Do not have a purse or wallet; carries money but no ID**

Minors will avoid carrying a purse or wallet so they can claim they left their ID at home. Older customers who have truly forgotten their ID will often return home to get it.

- **Have suspicious style of dress or way of speaking**

Some minors will give themselves away by wearing clothes or speaking in a way that is popular among the younger crowd. Also, watch for people who seem to be using an older style of speech, or who seem uncomfortable in the way they are dressed.

- **Avoid eye contact or appear nervous**

This is a strong indicator. People who act as if they should not be in your establishment probably should not be.

- **Hide or try to appear inconspicuous**

Check out people who try to stay out of sight by hiding behind their friends or moving out of your line of sight.

Make it a policy to check the age identification of all guests. When checking ID, make sure it includes the person’s **photograph & date of birth**, and has been issued by a government agency. Primary ID is a Yukon driver’s licence (or one from other territories or provinces) and a general identification card or other provincial/territorial liquor ID card. You may ask for secondary ID to support the primary ID. Your House Policy for the premises may require 2 pieces of primary ID. (See Chapter 12 for more on this)

Acceptable ID:

(All must be valid and current)

- Driver's licence with photo
- General government-issued ID card
- Passport
- Canadian citizenship card with photo

You may request more than one piece of ID.

Spotting Fake ID (Yukon And Other)

Most importantly, provide a well-lit area for checking ID. Staff are looking for very fine alterations and will need proper lighting and good eyesight.



Initial Steps

- Check ID at the door, and identify minors before they enter.
- Take your time and examine the ID closely. At the very least, check the photo (is this the person standing in front of you?), the birth date and expiry date.

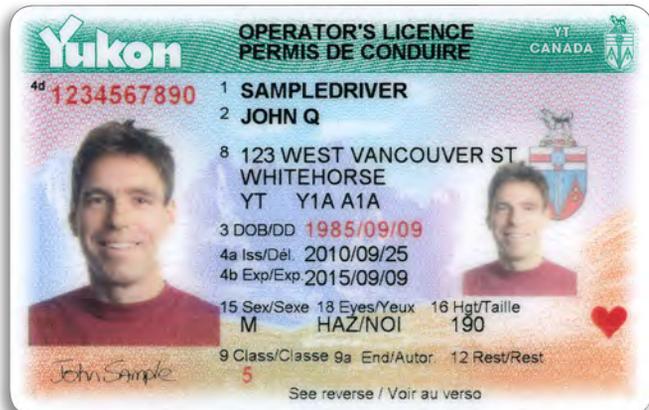


- Never accept ID without photo.



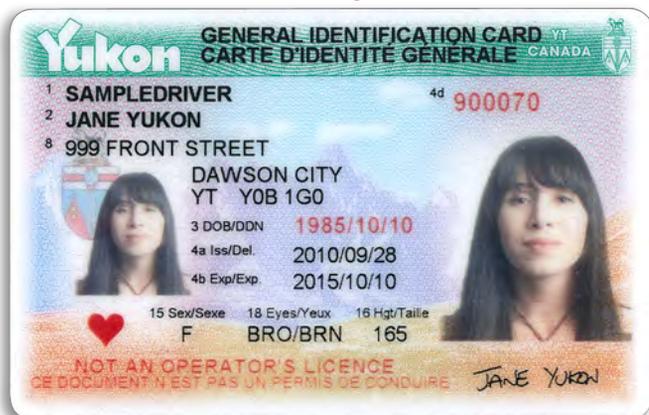
- Hold the ID in your own hands, rather than allowing the patron to flash it at you. If it is in any type of case or wallet, have it taken out by the patron and have patron hand it to you.

Yukon ID Proofing Guide



New Driver's Licence and New General Identification Card beginning November 2010

Note: Bar code on the back is for the use of law enforcement agencies ONLY.



How to confirm authentic cards:

- **Holograms of Yukon coat of arms** (pictured behind small photo) can be seen on the card surface.
- **Printing** is crisp and clear.
- **Red printing** for the date of birth and ID number.
- **Blue printing** for the word 'Yukon' on the card back, bottom right corner.
- **Micro text & fine geometric lines** like those on money can be seen with a small magnifying glass
- **Photo** appears with fine lines through the image
- **UV printing** can be checked with a black light: below main photo, see driver's licence (ID number on the general identification card).

Detecting altered, counterfeit or stolen cards:

- **Wrinkles** on the card surface may be seen and felt
- **Blurry printing**, all in black
- **Washed-out colours**
- **Breaks in holograms** over the photo or date of birth
- **Mismatched birth date and expiry date** – month and day should match
- **Photo** doesn't match the person in front of you



Driver's Licence and Liquor ID Card (issued before November 2010)



How to confirm valid, older cards:

- Driver's licences are valid until expiry date on card.
- Liquor ID cards can be used until November 2011.
- When in doubt, ask for additional proof-of-age ID.

Detecting altered, counterfeit or stolen cards:

- **Blurred printing**
- **Wrinkles** in the laminate or **extra-thick laminate**
- **Inconsistent typefaces** - do the date of birth and other letters and numbers on the card match?
- **Photo** doesn't match the person in front of you.

For more information, contact Motor Vehicles at **667-5315** or **1-800-661-0408, ext. 5315.**

be ready to identify

At the door

- **Check ID at the door** and identify minors before they come in
- Provide an area with **adequate lighting** where ID can be checked; use a penlight for spot lighting
- **Hold the ID in your hands**, rather than allowing the patron to flash it at you – if it is in a case or wallet, have them take it out for you
- **Take your time** and examine the ID closely
- Ask for a **second piece of ID** or more – the best one is a current credit card

On the ID

- Check the **birthdate** – are they of age?
- Check the **expiry date** – is the ID still valid?
- Check the **photo** – is this the person standing in front of you? Especially look at the **ears, eyes, mouth and nose**, since they are the most likely to be the same no matter how else the person has changed
- Ask for a **sample signature** to compare to the signature on the photo ID

Asking questions

- Ask their **middle name**, and how to spell it
- Ask for specific information on the card such as the **address** or **postal code**
- Do their responses sound **prompt and sincere?**
- How is the person acting – **confident or nervous**, avoiding eye contact?

To be valid, ID must:

- Have been issued by a **government**
- Be **current** (expired ID is not valid)
- Include the person's **photograph**
- Include the person's **birth date**

Acceptable forms of ID include:

- Driver's licence with photograph
- General government-issued ID card
- Passport
- Canadian citizenship card
- Yukon Liquor ID card until Nov. 2011

Remember, you don't have to accept any piece of ID if you are not sure that they are of age.



Signs of Fake/Altered ID – Old Driver’s Licences only*

- Feel for extra thickness around the photo and the edge of the lamination. This may be an indication of a second photo placed on top an original and re-laminated.
- Make sure the lamination is perfect. If the photo card has been tampered with and re-laminated, there may be wrinkles or air bubbles in the plastic and the edges may not match up.
- Does the colour of the photo look faded, yellowish, or “off”? This may be a laminated colour photocopy.
- Run your thumbnail over the date-of-birth line. If a new birth date has been taped over the original, you may catch it with your nail.

You may request more than one piece of ID.



- Look for consistency between numbers in the Date of Birth and Date of Issue. Are the numbers the same thickness, weight, and colour? If they have been altered, they may be thicker, heavier, and darker.
- Is there any fading around the date of birth? This may indicate that someone has tried to erase the original date.
- Check the month of expiry on the driver’s licence against the birth month. They should be the same.
- Test the signature. Have the person sign, date a piece of paper, and compare it to the ID.



If you doubt the validity of ID, do not accept it.

If an ID is determined to be a fake, you may hold the ID and contact the RCMP. You may not detain the patron, but be prepared to give a good detailed description of the person.

An individual can be fined \$200 for presenting false ID.

Yukon Liquor Corporation can provide you with free Yukon ID Proofing Guides.

Post-Test

Having completed this chapter, what do you understand about minors?

1) List 3 acceptable forms of ID:

2) Choose the **best** answer: Which of the following is a sign of a potential underage drinker?

- a) Rowdy, loud behaviour
- b) Uses only advertised product names
- c) Shows up alone

3) If an ID is determined to be a fake you may hold the ID and contact the RCMP.

- True
- False

CHAPTER 11: House Policies

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Describe the elements that make up a House Policy
- Understand why it is important to have such Policies in place

Pre-Test

What do you already know about house policies?

1) The purpose of having House Policies is to sell more alcohol.

- True
- False

HOUSE POLICIES

Your efforts to prevent intoxication will be more successful if your actions are supported by House Policies that encourage the moderate consumption of alcohol.

House Policies are important because they give the message to all guests that you are concerned about the way people drink and behave in your establishment, and that you are prepared to take appropriate action to manage it.

Obviously, servers need the guidance and support of management. Take time to talk to your supervisor or manager. Be sure you understand the specific policies and approaches that guide responsible service where you work.

You can effectively communicate House Policy through:

- Easy-to-use House Policy booklets given to you by your employer
- Training sessions for staff on the reasons behind responsible alcohol service and the need to follow House Policy
- Signs posted in public view, “table talkers” (below), and notices emphasizing important House Policies to you and your patrons



Elements Of A House Policy

House policies should cover all of the following areas. This will set guidelines for action in a variety of situations.

- **Monitoring the Door**

How management and staff will deal with seating capacity and refusing entry to anyone who is intoxicated, potentially troublesome, or a minor (if the establishment is a liquor-primary premises).

- **Management of Peak Hours and Crowds**

Staffing plans for peak hours. Have a plan in place and good door control to prevent overcrowding and exceeding capacity limit.

- **Actively Promoting and Marketing Food**

How management and staff will 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.



- **Pricing Away From Intoxication**

How management and staff will use pricing strategies to encourage moderation and discourage excessive consumption through the use of such tactics as “daily special” non-alcoholic rounds; “breather” or “spacer” rounds of non-alcoholic drinks; “light” wines, beers, mixed drinks with lower than normal alcohol content; graduated “alcohol content” pricing policies; discouraging volume purchase discounting practices.

- **Server Training**

How management will emphasize the seriousness of their commitment to responsible serving through training you and other workers (including non-servers) on a regular basis, making server training a condition of employment, compensating you for participating in service training programs.

- **Discretionary Powers for Staff**

What back-up tools management will provide for the staff in their efforts to address potential or actual patron intoxication issues (e.g., intoxicated patron, taxi vouchers, free food or non-alcoholic drinks to designated driver, overnight parking for intoxicated patrons who use alternative forms of safer transportation).

- **Safe Transportation Home**

How management and staff will ensure the safe transportation home of intoxicated patrons. Alternative strategies could be staff members calling friends of the patrons for rides, partly or fully subsidized taxi vouchers.



- **Setting a Drink Limit for Patrons**

How you will monitor and limit the number of standard drinks served to patrons. Promote the service of one standard drink at a time. Remember: offering services such as "Happy Hour" and "Shooter Bars" may encourage over-consumption. Recognize the signs of intoxication and follow the guidelines for dealing with intoxicated patrons.

- **Publishing the Establishment's Responsible Alcohol Service Position**

How management will help staff to integrate a responsible alcohol service program into its corporate image inside and outside the establishment. Potential tactics include the use of "table talkers" and posters, and having servers communicate your program's objectives to patrons.

Yukon Liquor Corporation has a variety of free posters, coasters, and other materials that are available to licensees to encourage social responsibility. Contact us to find out what's available, or check out our website www.ylc.yk.ca

Other Areas For Policy Development

Your establishment should also consider policies in the following areas:

- Suggestions for selling low alcohol and non-alcohol products
- Management of special events (see Appendix D for more on special events)
- Minors
- Recommended techniques for responsible service
- Problem patrons
- Intoxicated patrons
- Use of the incident log

On the following pages, you will find examples of House Policies.



Example of a House Policy

| Policy | Who will enforce policy (check your control person) | Methods of enforcement (check your selected strategy) |
|--|---|--|
| <p>Problem Patrons Deny entry to people who are intoxicated</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Assign a staff member at the door. • Post a sign at entrance stating policy. • Assess individual’s level of intoxication through conversation. • State the law that denies access to intoxicated persons to a licensed establishment. • Be polite but firm. • Have another staff member support your position. • Avoid statements that may be perceived as a put-down or judgment. • Avoid physical or verbal confrontations. • Clarify how the Human Rights Act affects the handling of problem patrons (specifically those who return repeatedly). |
| <p>Minors (in the case of a liquor-primary premises) No customers under the age of 19 will be allowed on the premises</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Compare ID to samples of acceptable forms such as valid driver’s licence. • Check for alterations to ID using the “touch test” or a flashlight from behind. • Compare signature of patron to the signature on the ID. • Ask for supporting identification. • Ask Zodiac sign. People memorize false birthdates but generally will not know the corresponding sign. |
| <p>High Risk Times and Events Maintain control of licensed establishments during peak operating time.</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Post schedule of major public events in the area. • Schedule staff according to projected high volume periods in order to maintain control. • Provide extra support from management for service staff. |

| | | |
|--|---|---|
| <p>Environment Create an environment that promotes responsible consumption of alcohol</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Establish a dress code. • Maintain proper lighting levels. • Encourage good male/female mix to increase socializing. Provide patrons with diversions such as video games, board games, contests, door prizes, food, non-alcoholic drinks. Limit the number of people entering your establishment to avoid overcrowding. • Staff according to volume to ensure effective service. |
| <p>Policy Display To alert patrons that the establishment does not serve to intoxication</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Make house policy on over-service visible to all patrons (tent cards, menu, and signs). • Promote your policy to the public. |
| <p>Suggestive Selling Encourage patron to buy items in addition to alcoholic beverages</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Suggest espresso, cappuccino and specialty teas, as an alternative to regular coffee or tea. Suggest bottled waters. Stock and promote beer and wine that is low in alcohol or de-alcoholized. Promote low cost, high profit food items. |
| <p>Customer service Guidelines of the service of alcohol to patrons</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Limit drink orders to one per customer at a time. Avoid stacking drinks. Confirm that the customer receiving a drink, ordered by another patron, actually wants the drink. • Encourage food promotions as an alternative. Advise oncoming shift of customer condition. • Provide positive selling techniques. • Limit drink orders at last call. • Measure liquor accurately (do not over-pour or free pour). • Keep track of customer's intake. |
| <p>Designated Driver Program Promote customer safety and minimize the risk of a liability suit.</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Identify the designated driver upon arrival through registration, button, or other identifying item. Offer free non-alcohol drinks to designated driver. Offer free food to drivers as this encourages other members of the party to eat. Promote the program internally. • Advertise the program publicly. |

| | | |
|---|---|--|
| <p>Alternate Transportation</p> <p>Provide patrons with alternative transportation to avoid drinking and driving.</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • When requesting intoxicated patrons to leave the premises, make sure they have a safe ride home. • Suggest that they call a friend or relative for assistance, and offer to make the call. Recommend a taxi to patron who intends to drive. Pay the parking fee if the guest accepts an alternative to drinking. |
| <p>Intoxicated Patron</p> <p>Effective handling of an intoxicated patron</p> | <p>Manager Doorperson/host Bartender Server</p> | <ul style="list-style-type: none"> • Coach staff on techniques for refusing service. • Discontinue service of alcohol to a patron who shows two or more signs of intoxication. Suggest a non-alcoholic beverage or food as an alternative (be discreet so as not to embarrass the patron). • Enlist a friend of the patron to assist you. • If the patron continually questions server's decision, call the manager. |
| <p>Incident Log</p> <p>Document incidents involving intoxicated persons and other potentially dangerous situations</p> | <p>Manager Doorperson/host Bartender</p> | <ul style="list-style-type: none"> • Record all incidents involving underage (when illegal) or intoxicated persons including denial of entry and refusal of service. • Consult with all staff members involved in the incident; record all key details (time., place, date, nature of incident, description of parties involved, witnesses) and actions taken. • Retain sales records. |

Post-Test

Having completed this chapter, what do you now understand about House Policies?

1) What are 5 possible areas for House Policies to cover?

2) When you follow House Policies, your patrons know you are concerned about what happens on the premises and are prepared to deal with any actions that are contrary to the guidelines.

- True
- False

CHAPTER 12: Liability

OBJECTIVES

Upon completion of this chapter, you should be able to:

- Recognize the potential effects of having a lawsuit brought against your establishment or a member of the staff
- Identify and practice behaviours that will help you avoid situations which could lead to legal action
- Identify what steps should be taken if a risky situation occurs

Pre-Test

What do you already know about liability?

1) Liability is something only the owners of licensed establishments need to know about.

- True
- False

LIABILITY

One important change the industry faces is an increasing number of successful liability suits against licensed premises. If an individual is served alcohol and then injures or kills someone while under the influence, courts are deciding that the people serving the alcohol share some of the blame. In some cases, settlements have been made for large sums of money. Even when no blame is found, servers and licensees have lost the cost of court hearings, lost work time and experienced a great deal of stress.

Smart licensees and servers are acting to reduce risk. There are steps you can take to manage and reduce the chances of a suit. Fortunately, this action will also reduce the risk of your patrons being involved in mishaps and accidents.



You could face legal action if a person who has been over-served subsequently causes injury to themselves or someone else

Duty Of Care

“Duty of care” is an obligation imposed by the courts on licensees to take reasonable care to avoid acts or omissions that might have been reasonably foreseen in relation to another person. In the context of alcohol sales and service, it means that the licensee must protect patrons and others from harm that may be associated with the activity of drinking. A “duty of care” is owed by the licensee to ensure that liquor is not served to an intoxicated guest or that a guest is not served to the point of intoxication.

Under common law, the courts have decided that once a guest is intoxicated, the licensee may have a further “duty of care”. This means taking steps to protect a guest and others from the dangers associated with the guest’s intoxication; for example, to prevent an intoxicated guest from leaving the premises and driving home.

Clearly, licensees and staff have a heavy responsibility for both a patron's safety and the safety of others the patron may affect. When patrons or third parties suffer because of what they believe is negligence on the part of a licensed premises, they may seek legal redress.

If you are sued for over-serving a patron who left your premise and either sustained personal injury or injured another person, one of the key factors the court will consider is, ***“Could you or your servers have reasonably foreseen that serving more alcohol to this person would have probably caused him to become intoxicated and dangerous to him/herself or others?”***

Risk

Canadian courts have confirmed some specific responsibilities for licensees about their guests.

Licensees must:

1. refuse to let an intoxicated person enter or stay on their licensed premises
2. refuse service to an intoxicated person
3. monitor how much alcohol is consumed by their guests
4. make reasonable assumptions from the amounts consumed by their guests, and by their behaviour, as to whether they are intoxicated
5. take steps to prevent a guest from driving if the licensee knows, or ought to have known from their monitoring, that the guest is likely impaired and likely to drive.

These steps include:

- a. arrange alternate transportation
 - b. remove the guest's car keys
 - c. alert the RCMP if the guest is likely to drive
6. take steps to see that the guest gets home safely, whether driving or not

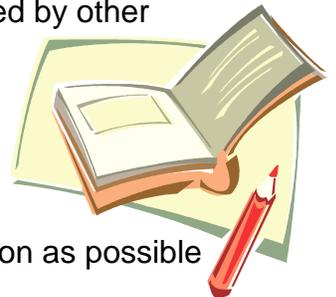
There can be tragic consequences if someone who has been over served causes injury to themselves or to someone else. If licensees cannot prove that they have fulfilled their responsibilities, there can also be significant penalties: licence suspensions, fines, court costs, damages.

How Can Licensees And Servers Reduce The Risk?

You can reduce the risk of someone harming themselves or others.

1. Set clear and consistent house policies for monitoring alcohol consumption, for refusing entry or service, and for ensuring that guests get home safely.
2. While on shift, talk to the other staff and the manager about the guests and their behaviour.
3. Make sure your premises (including the surrounding area controlled by you) are safe.
4. Document what you see and what you do, so there is a record of what happened when someone is refused entry or service, and what you did to make sure your guests got home safely.

All staff need to know what is expected (house policies) and are supported by other staff (communication about what is going on).



Use An Incident Log

You need to record these events while they are fresh in your mind, as soon as possible after the incident.

Briefly write the important details down in an incident log; time, place, date, nature of incident, description of who was involved, action taken, witnesses, whether police were called, and any other important information. Keep your sales slips that relate to the incident – this is one way to show how much was consumed by the guest.

Licensees and servers have an important role in keeping guests safe!

SAMPLE INCIDENT LOG SHEETS

INCIDENT REPORT © # _____ PLEASE PRINT

Date: _____
 Time: _____ am / pm
 Weather: sun / cloudy / wet / dry / snow / windy
 Staff on duty:

 Was patron alone? YES NO
 If no, who were they with? _____

CUSTOMER DETAILS
 Name: _____
 Height: _____ Weight: _____
 Eye colour: blue / brown / black / green
 Hair: grey / blonde / brown / black / other— long / mid / short
 Clothes: _____
 Glasses: YES NO
 Gender: male / female
 — moustache / beard / goatee / other
 Age: 19-25 26-30 31-35 36-40
 41-49 50-59 60-65 66+
 Nationality: _____

1 DENIAL OF ENTRY
 Time of denial _____ am / pm
 Reason:
 intoxicated minor
 troublesome no I.D.
 previously barred false I.D.
 dress code other _____

2 REFUSAL OF SERVICE
 Time of refusal _____ am / pm
 By whom? _____
 Reason:
 intoxicated impaired
 troublesome minor
 other _____
 What was the patron drinking? beer / wine / spirits / fortified wine

3 EJECTING OF PATRON
 Time of departure _____ am / pm
 Estimated time of arrival _____ am / pm
 Reason:
 fighting domestic drugs
 false I.D. trespassing minor
 swearing horseplay other _____
 intoxication destruction of property

4 INJURY / ACCIDENT on premises
 Time of injury / accident _____ am / pm
 What part of the body was affected? _____
 Was medical attention given? YES NO Hospitalization required? YES NO
 How did patron contribute to his / her injury? _____
 Describe incident: _____

5 MINOR on premises

Was minor caught drinking alcohol? YES NO

If yes, who gave minor a drink. _____

Was identification checked? YES NO

If yes, indicate type of I.D.: driver's licence / age of majority / passport / other _____

Was identification falsified? YES NO If yes, explain. _____

6 TRANSPORTATION

Were alternate methods of transportation offered? YES NO

If yes, specify: _____

How did patron leave premises? — Please circle.

| | | |
|-----------------------|--------------------|---------|
| taxi co. _____ | friend on premises | boating |
| police _____ | friend from home | walking |
| car _____ | motorcycle | bicycle |
| other - specify _____ | | |

If patron was driving, describe vehicle

colour: _____ licence #: _____

make: _____ State / Prov.: _____

damage: _____

other: _____

direction of travel: _____

7 POLICE

Time of call: _____ am / pm Time of officer arrival: _____ am / pm

Time of departure of patron: _____ am / pm Badge # _____

Name of Officer(s): _____

8 WITNESSES

Witness name _____

Address _____

Telephone (H) _____ (B) _____

Witness name _____

Address _____

Telephone (H) _____ (B) _____

9 FINAL REMARKS

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

| | | |
|-----------------------|------------|----------|
| _____ | _____ | _____ |
| signature of employee | print name | position |
| _____ | _____ | _____ |
| signature of manager | print name | position |

COSTS

Breaking the law can mean that your establishment will be closed for a certain period or will be fined. It can also mean that you, personally, may have to pay fines. If you or your establishment is found liable for a customer's actions while impaired, you may end up paying damages of more than several thousand dollars.

In some cases, more than one establishment or party is held responsible. For example, if a customer drives while impaired and causes injuries to an innocent third party, the cost of damages may be shared between the customer and the bar. However, if damages are awarded in this way and the customer cannot pay their portion, then the establishment could be responsible for paying the entire amount.

High damages (costs) may force an establishment out of business.

That means you are out of a job!

The following pages provide examples of real cases involving liability issues.

Settled alcohol service liability case decisions

Jordan House Hotel Ltd. v. Menow and Honsberger (1973)

The Supreme Court of Canada recognized that a tavern owner had a duty to protect intoxicated persons from injuries that they might suffer on or off the premises.

Menow, a regular patron of the defendant's hotel, tended to become "annoying and reckless" when intoxicated. He had previously been banned from the hotel. After the ban was lifted, the hotel employees were instructed not to serve Menow unless he was accompanied by a responsible person.

The night of the accident, Menow arrived with two other individuals, who left early. From 7 p.m. to 10 p.m. Menow drank alone, becoming visibly intoxicated. When he bothered other patrons, staff ejected him.

Menow was given a ride partway home and continued on foot. Menow staggered along the highway and 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 Supreme Court of Canada unanimously upheld this claim. Mr. Justice Laskin emphasized that the staff had special knowledge of Menow's lack of responsibility when impaired. They had violated provincial law in serving him when he was intoxicated, and ejected him knowing he had no safe way of getting home. Laskin 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.

In defence, the hotel argued that the provincial alcohol legislation required the staff to eject Menow because he was intoxicated. The defendants also raised the defence of voluntary assumption of risk and contributory negligence. Laskin rejected both defences. He held that they had a broader duty not to eject him if it were to subject him to a foreseeable risk of injury. Further, he held that Menow was too intoxicated to appreciate or assume legal responsibility for his own conduct. Menow, the hotel, and the driver were each held one-third at fault.

Mr. Justice Ritchie agreed with the result but suggested that the staff violated their duty once they served Menow past the point of intoxication. **Their obligation was to prevent intoxication and not, as Laskin had shown, simply to protect patrons once they became intoxicated.**

Cases following this landmark decision have used Ritchie's broader statement of this duty.

Lehnert v. Nelson et al. (1974)

In this case, the plaintiff was injured in an unprovoked assault by an intoxicated female patron. Although previously unknown to the staff, this woman had since her arrival been boisterous, aggressive, and destructive. **The court stated that her conduct provided a clear warning to the staff that she might injure herself or others. Under these circumstances, the staff had a legal duty to eject or restrain her.** By failing to take such action, the staff breached their common law duty to the plaintiff and were liable for the plaintiff's losses.

Jacobson v. Kinsmen Club of Nanaimo (1976)

Although there are few reported cases, **an occupier may be held liable for permitting activities on the premises that pose a foreseeable risk of injury.** This is best illustrated by the case of *Jacobson v. Kinsmen Club of Nanaimo*.

In *Jacobson*, the defendant held a "beer party" in an arena. Several uninhibited patrons entertained the crowd by climbing the beams that supported the roof and "mooning" those below. A person known only as "Sunshine" attempted to mimic this feat, but fell from the beam onto the plaintiff. "Sunshine" emerged unscathed, except for the indignity of losing his pants mid-flight, and immediately left. The plaintiff, who was seriously injured, sued the Kinsmen Club under the British Columbia Occupier's Liability Act.

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. It is not clear whether the outcome would have been the same under the narrower common law principles of occupier's liability.

Picka v. Porter and the Royal Canadian Legion (1980)

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 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 an alcohol provider 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 special knowledge of Porter's irresponsibility when intoxicated and no actual knowledge of his intoxication and had not ejected him. The Legion had merely provided Porter with alcohol past the point of intoxication. In this respect, **the case imposes a broad duty on alcohol providers to prevent their patrons and guests from becoming intoxicated.**

Porter was held 85% at fault and the Legion was held only 15% at fault. However, since the defendants were jointly and severally liable, the plaintiffs could recover 100% of their \$400,000 claim from either party. If Porter had no money, the Legion, although a minor negligent party, could end up paying the entire claim.

Niblock v. Pacific National Exhibition and City of Vancouver (1981)

In *Niblock v. Pacific National Exhibition and City of Vancouver*, the intoxicated plaintiff fell over a low railing on a high staircase and was seriously injured. The plaintiff sued the defendants under the British Columbia Occupier's Liability Act, which requires an occupier to take reasonable steps to ensure that the premises are reasonably safe under the circumstances. The defendants argued that they had never had problems before with these railings and that the accident was due solely to the plaintiff's intoxication. The court stated that since the exhibition grounds had several alcohol outlets, the defendant should have foreseen that intoxicated people would be present. In holding the defendants liable, **the court emphasized that the premises had to be reasonably safe for not only the sober, but also the intoxicated.**

Schmidt v. Sharpe and the Arlington House Hotel (1983)

Shortly after finishing his last beer and leaving the Arlington House Hotel, Sharpe failed to negotiate a curve in the road. Sharpe suffered minor injuries but his passenger, Schmidt, was rendered a quadriplegic. Schmidt and his family sued the hotel for \$13 million.

This case provides another example of the broad duty that alcohol providers must carry. Sharpe consumed a small percentage of the alcohol causing his intoxication at the hotel. The staff had no special knowledge of his susceptibility to alcohol, and they did not eject him.

The evidence did not establish that Sharpe was visibly intoxicated when he was served. Rather, the expert witnesses, based on Sharpe's blood alcohol level, stated that **properly trained staff should have been able to recognize some signs of Sharpe's intoxication when he was served.** It was on this basis that the hotel was held liable for \$1.75 million.

Schmidt was held 30% contributorily negligent for accepting a ride with Sharpe and for not wearing his seatbelt. The court rejected the defence of voluntary assumption of risk because Schmidt had not expressly or implicitly agreed to assume legal responsibility for the risks of driving with Sharpe. Moreover, the judge noted that the hotel could not even raise this defence. The hotel had violated a statutory provision designed to protect the plaintiff — namely, section 43 of the Liquor Control and Licensing Act, which prohibits serving alcohol to the intoxicated.

Hague et al. v. Billings et al. (1989)

The issue before the court in this case was whether either of the defendant taverns would be liable to the plaintiff for damages that happened as a result of a motor vehicle accident.

Jacqueline Hague and her daughter were driving in a car struck by the defendant, Billings. Jacqueline Hague was killed and her daughter was seriously injured. Billings was convicted of negligence causing death and sentenced to jail.

From about 9 a.m. until shortly before the accident at about 10:30 p.m., Billings and two companions had been drinking and driving the back roads of the Haliburton area.

They arrived at the Oasis Tavern, along the highway, about 7:00 p.m. Billings and one of his companions went in and were served a beer. They were refused further service when the bartender observed that they were intoxicated. They were joined by the third member of the group who was served only food. The staff of the tavern agreed that Billings was intoxicated and should not drive. The owner tried to persuade Billings to give his key to the third member of the group. The staff and owner perceived this third member as relatively sober when compared to Billings and the other

man. Billings left in his car and there was no further action taken by the Oasis Tavern. The highway police were not called even knowing that Billings was endangering other drivers.

It was established that between 9:00 p.m. and 10:30 p.m., the three men were each served four bottles of beer at the Ship & Shore Hotel. Shortly upon leaving, the two companions demanded that Billings stop the car; they got out because his driving was so erratic. Billings drove on, crossed the median line, and hit the Hague car. Billings was described as obviously drunk by all the people who dealt with him after the accident. A Breathalyzer test given to Billings at 12:16 a.m. and 12:36 a.m. yielded readings of .265 and .260. This represents 13.7 beers or 20.9 oz. of liquor in his system at the time of the tests.

The plaintiffs were unable to show that the omission of action on the part of the Oasis Tavern was the cause of, or contributed to their damages. Accordingly, the action against the Oasis Tavern were dismissed.

However, the court found that although Billings voluntarily became intoxicated, the actions of the Ship & Shore Hotel in allowing him to increase or at least maintain his level of intoxication was equally to blame. Accordingly the Ship & Shore Hotel was found equally responsible and liability was apportioned 50% to Billings and 50% to the Ship & Shore Hotel.

Post-Test

Having completed this chapter, what do you now understand about liabilities?

1) A server who arranges for an intoxicated customer to get a ride home from a sober friend is an example of exercising “duty of care”.

- True
- False

2) Two examples of ways to reduce the risk of someone harming him/herself or others are:

CHAPTER 13: Conclusion

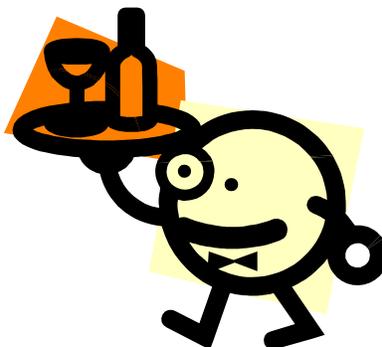
By taking this training course, you are now more aware of your legal and social responsibilities regarding the service of alcohol. You have learned more about alcohol, its effects, and the factors that influence those effects. You are familiar with the techniques for preventing intoxication and managing those who do become intoxicated. You can now apply the knowledge and techniques in your working environment.

Serving alcohol responsibly is not easy, but it is possible. As you use preventive and management strategies, you will become more confident and experienced. You can then share your experience and expertise with new servers.

Finally, with increased public awareness of the hazards of excessive drinking, and of drinking and driving, your job should be easier. Since these practices are no longer acceptable, your guests will be more appreciative of your efforts to encourage safe drinking practices.

Yukon Liquor Corporation is here to help. Liquor service can be challenging!

**Please keep in touch,
check out our website (www.ylc.yk.ca),
and ask the Liquor Inspector any questions you may have when they visit your
premises
– or just give us a call!**



APPENDIX A – LIQUOR ACT AND REGULATIONS

The complete documents are available on-line at www.ylc.yk.ca

LIQUOR ACT EXCERPTS

Conduct on licensed premises

70. (1) No licensee, and no person employed in any premises in respect of which a licence has been issued, shall

- (a) permit any person in a drunken or intoxicated condition to enter, be or remain in the premises,
- (b) permit any riotous, quarrelsome, violent or disorderly conduct to take place in the premises,
- (c) permit any gambling to take place in the premises, or
- (d) permit any slot machine or any device used for gambling to be placed, kept or maintained in the premises.

(2) Paragraphs (1)(c) and (d) do not apply in respect of premises in respect of which a licence or permit has been issued to a person on behalf of a non-profit organization under *(a special licence)* or *(a special occasion permit)* where the gambling is authorized to be carried on under a licence issued under the *Criminal Code* (Canada).

(3) Paragraph (1)(c) does not apply to the sale of tickets in a raffle that is licensed under the *Lottery Licensing Act*.

Consumption of liquor off premises

72. Except as permitted in section 68 (*room service*) or (*an off-premises licence*), a licensee shall not allow liquor which is purchased from him to be consumed outside that part of the licensed premises in which he is permitted to sell liquor.

Persons under 19 years of age

90(1) Except as provided under this section, no person under the age of 19 years shall consume, purchase, or attempt to purchase or otherwise obtain or be in possession of liquor.

(2) A person under the age of 19 years may in a private residence, in a food primary premises, or at a reception if authorized by the terms and conditions of the reception permit, consume liquor provided by or with the consent of a parent, grandparent, or legal guardian while accompanied by that parent, grandparent, or legal guardian.

(3) No person other than a parent, grandparent, or legal guardian of a person under the age of 19 years shall give or otherwise supply to that person liquor except for medicinal or sacramental purposes.

(4) Except as provided by the regulations, no person under the age of 19 years shall enter, be in, or remain in any liquor primary premises.

(5) No liquor shall be sold or supplied to a person apparently under the age of 19 years unless that person furnishes proof on demand that they are 19 years of age or over.

(6) If a person cannot or refuses to furnish proof as required by subsection (5), they shall immediately leave a liquor store or licensed premises on being requested to do so.

Sale to intoxicated persons

93. No person shall sell or supply liquor to a person who is or appears to be intoxicated.

Offence

95. Every person who refuses or neglects to obey an order of the board or who contravenes any provision of this Act, the regulations or a condition of a licence commits an offence.

LIQUOR REGULATIONS EXCERPTS

- 9 (1) Unless the Board otherwise directs, a licensee shall not personally, or through any employee, servant or agent, in or about his licensed premises:
- (a) permit any employee to urge any customer, member or guest to continue drinking or to purchase further liquor after the first drink has been served, but nothing herein shall prohibit the employee from requesting the customer, member or guest to leave the licensed premises or asking whether he wishes to purchase a further drink;
 - (b) permit liquor to be served in any licensed premises to any person who is, or appears to be, disorderly or under the influence of liquor;
 - (c) permit any liquor which is purchased for consumption on the premises to be taken off the premises;
 - (d) permit more persons to be admitted and remain on the licensed premises than are authorized by the Board or fire authority, as identified on the licence;
 - (e) advertise except in the manner approved by the Board;
 - (f) permit any employee to consume liquor on the licensed premises while on duty;
 - (g) commit or attempt to commit a breach of any provision of the Act or Regulations;
 - (h) operate such premises in violation of any condition set out on the face on the licence issued pertaining to the sale of liquor in that premises;
 - (i) keep for sale or consumption in licensed premises liquor other than liquor purchased from the Yukon Liquor Corporation.
- (2) Subject to (*the Human Rights Act*), no person shall:
- (a) remain in a licensed premises or liquor store after having been requested to leave the premises by the licensee or the person in charge of the licensed premises or liquor store because of being in an intoxicated condition, being riotous, noisy, quarrelsome, violent, disorderly, profane, or acting in

a manner contravening a Federal Statute, Yukon Territorial Act, City or municipal By-law or

- (b) enter a licensed premises or liquor store after having been forbidden to enter the premises by the licensee or the person in charge of the licensed premises or liquor store, for the reasons specified in [a].

9 (3)(a) A licensee or person in charge of a licensed premises or liquor store may prohibit any person who has been requested to leave a premises under the provisions of subsection [2] from entering the premises for such a period of time as the licensee or person in charge may choose;

- (b) any person who has been forbidden entry pursuant to paragraph [a] may appeal to the Board who shall deal with the matter at the next Board meeting, and the decision of the Board shall be binding to both parties; and
- (c) a person who has been forbidden entry to more than one licensed premises or liquor store pursuant to paragraph [a] may be prohibited from entering any other licensed premises or liquor store by the licensee or person thereof for such a period of time as such licensee or person in charge may choose and any person so prohibited may appeal any such prohibition pursuant to paragraph [b].

Underage employees

12(1) A person who is under the age of 19 years may enter a liquor primary premises for purposes related to the person's employment where

- (a) the underage person is at least 16 years of age and has written permission to do so from
 - (i) a parent or legal guardian of the underage person, or
 - (ii) the president; and
- (b) the licensee provides reasonable adult supervision of the activities of the underage person to ensure the safety and well-being of the underage person.

- (2) Subsection (1) does not authorize a person under the age of 19 years to deliver, serve, open, pour or mix liquor.
- (3) Parental permission under clause (1)(a)(i) shall be provided on a form provided or published by the president.
- (4) The president shall not give permission under clause (1)(a)(ii) where, in the opinion of the president, the permission of a parent is being withheld.
- (5) The president shall not give permission under clause (1)(a)(ii) unless, in the opinion of the president,
 - (a) the underage person is married; or
 - (b) the underage person has been living apart from his or her parents and has been self-supporting for a significant period of time.
- (6) A licensee permitting an underage person to be in the licensed premises under this section shall keep a copy of the permission under paragraph (1)(a) on the licensed premises and shall provide it to a liquor inspector on request.
- (7) Subject to the other provisions of this section, the president may authorize a person under the age of 16 years to enter and be in a liquor primary premises for purposes related to their employment subject to such terms and conditions as the president considers appropriate.

APPENDIX B - Sample Licensee Information Bulletin



Licensee Information Bulletin

February, 2006
Volume 12, Number 11

CENTRAL WAREHOUSE HOURS ARE MONDAY TO FRIDAY, 8:00 A.M. to 4:00 P.M.

Orders received during normal business hours will be ready for pickup within 24 hours.
(Orders placed Friday will be ready on Monday.)

The Central Warehouse will be CLOSED February 24th, 2006 for Heritage Day.

WHITEHOUSE LIQUOR STORE will be OPEN from 11:00 a.m. to 5:00 p.m. on Friday, February 24th.

Liquor Stores in the communities will be CLOSED on Friday, February 24th.

REGULAR HOURS in effect at all liquor stores on Saturday, February 25th.

*Mayo Store - closed for lunch daily between 1:00 p.m. - 2:00 p.m.

You can contact us at:
Yukon Liquor Corporation
9031 Quartz Road, Whitehorse, YT Y1A 4P9; or
Phone: (867) 667-5245
Toll Free: 1-800-661-0408
Fax: (867) 393-6306
E-mail: yukon.liquor@gov.yk.ca
Web site: www.ylc.yk.ca

Refusing Service

There are going to be times when you or your servers will have to discontinue or refuse service to a patron who is intoxicated.

It is your legal and moral responsibility to do this firmly and convincingly. You will need to do this in a way that will prevent a difficult situation from getting worse. The safety of that patron, staff and all other patrons should be your main concern. Do not hesitate to express regret to the patron and refer to the liquor laws that require you to take this action. (It is not appropriate to use the reason that a liquor inspector is in the premises to cut a patron off from liquor service.)

There are, some strategies to make the process of refusing liquor service or sale go as smoothly and effectively as possible. First, a server should notify co-workers and/or the manager of their intent to discontinue service or refuse a sale to an apparently intoxicated patron. This sets up a support system in case it is needed.

Next, proceed by speaking calmly and courteously (and in private if possible). Use the patron's name, if known. Do not use emotionally charged words or accusations like, "You're drunk" or "You're cut off". Instead, remind the patron that "it's against the law to serve you further", that the refusal only applies to this particular occasion, and that you will be pleased to serve them in the future.

Listen and be empathetic by acknowledging emotions like anger or disappointment. Show concern for the patron. Suggest that you'd be happy to arrange a safe ride home by calling a cab or a friend to come and get them. Remind the patron of their own liability and how your actions are to protect them.

Be firm and don't argue, bargain or back down! Remember to document details of the refusal or discontinuation of service in the incident log.

Please encourage your staff to take our free 3-hour BARS course, for training in this area.

Yukon Liquor Corporation Board Meeting Dates 2006

Tentative dates:

| | |
|-------------|--------------|
| February 21 | August 22 |
| March 21 | September 19 |
| April 11 | October 24 |
| May 16 | November 21 |
| June 20 | December 5 |
| July 11 | |

The Board is responsible for licensing decisions, and for hearing appeals of licence suspensions, barrings, and permit refusals. Currently, the Board has five members, appointed by the Government of Yukon. The Board meets monthly, with additional meetings scheduled as required, The Chair of the Board is Wayne Cousins and he may be reached at 667-5245.

New advertising guidelines

In December 2005, all licensees were mailed a copy of the new Listing, Pricing & Promotion Guidelines and new Advertising Guidelines. The new guidelines replace the previous Advertising Policy (red book) and Marketing Policy (blue book) and have significantly simplified and clarified the rules for advertising and for listing, pricing, and promoting liquor products.

The key principle remains that liquor advertising by licensees and permit holders should encourage social responsibility in the sale and consumption of alcoholic beverages.

You are reminded that advertising outside your premises still requires advance approval from the Yukon Liquor Corporation. You are permitted to advertise and promote your business by:

- advertising the name of establishment or event
- sponsoring events
- running a contest with a **non-liquor prize, or offering non-liquor gifts**
- sponsorships
- advertising the kind of liquor (e.g., "beer" and specific products)
- advertising specials, without mentioning specific prices (e.g. "Happy Hour")

For your convenience, the new guidelines are available in downloadable PDF files on our Web site at <http://www.ylc.yk.ca/forms/forms.html>.

If you have any questions or require clarification of any aspect of these guidelines, please contact the Licensing, Development & Social Responsibility Branch at 667-5245.

DRINK RECIPES

The Cactus Kiss Cocktail

1 oz gold tequila
1/2 oz peach liquor
1/8 of a fresh lime
3 oz tart lime juice

In a cocktail shaker fill with ice, combine above ingredients. Shake and strain into a rock glass. Garnish with a peach slice and enjoy.



Baja Blend Mocktail

1 cup ice
1/2 cup strawberries
1/2 oz grenadine
3 oz light cream

Add above ingredients to a blender. Blend until smooth and pour into a coupe glass. Garnish with a fresh strawberry



APPENDIX C - DRUGS

You are bound to have patrons under the influence of drugs who will want to consume alcoholic beverages in your workplace.

All drugs alter perception. Mixing drugs and alcohol can often produce unpredictable effects. For example, the combination of alcohol and Valium™ may produce five times the intoxication that you would have expected if these drugs had been used separately.

Drugs affect people in different ways. Factors such as personal expectations about the drug's effects, the person's general mood, how much is taken, how often it is taken, the person's physical state, and the amount of food in the person's stomach can all influence the behaviour of drug users.

When drugs are used in combination with one another, the effects are highly unpredictable. As a rule, combining drugs with alcohol exaggerates the intoxication effect 5 times.

Types Of Drugs

Marijuana

Marijuana significantly slows reaction time, decreases the ability to judge speed and distance, and impairs coordination and vision. The effects of marijuana can last 4-10 hours, even after the “high” is gone.

Marijuana and hashish are normally inhaled by smoking a “joint” (resembling a hand-rolled cigarette) or in a small pipe. The smoke has a very distinct smell and will linger in the air and permeate the user's clothing. A “joint” is usually smoked by a number of people taking turns until finished. Slang terms include pot, grass, weed, hoot, reefer, smoke, toké and hash.

Inhalants

Inhalants such as gasoline or glue impair judgment, slow reaction time and impair motor skills.

Narcotics

Narcotics such as heroin, morphine, or codeine greatly reduce motor skills, reaction time, judgment, and awareness.

Powder form substances such as cocaine and heroine may be placed on a hard surface and divided into thin lines with a sharp object (razor blade or credit card), and with a straw or rolled up piece of paper, the drug is sniffed into the nose. These drugs may also be liquefied and injected directly into the vein of the user by syringe.

Depressants

Tranquilizers and sedatives depress the body's central nervous system. They are used to relieve anxiety or induce sleep. Even small amounts of these drugs can slow reaction time, decrease eye-hand coordination, and interfere with judgment. Use of depressants with alcohol can cause death.

Stimulants

Cocaine and other stimulant drugs will impair judgment and increase aggressiveness. Repeated use of stimulants causes edginess and decreases coordination. Mixing stimulants with alcohol increases the bad effects of both on users.

Illegal drugs can also be found in tablet and capsule form and are taken orally: barbiturates, amphetamines ("speed", "uppers"), LSD ("acid", "hits"), ecstasy, mescaline, MDA.

Alcohol

Alcohol is classified as a hypnotic or anesthetic agent. Alcohol is a depressant and combined with other drugs causes an effect greater than that caused by either drug alone.

Controlling Drug Activities In Licensed Premises

Licensees & Managers

- Licensed premises are prime potential locations for drug activities to take place.
- Beware of the type of clientele being catered to and the character of your staff. Watch for any suspicious actions by staff or patrons on a daily basis.
- Offers of employment should be subject to a security clearance check.
- Establish strict conditions of employment (such as immediate dismissal) for being involved in or failing to report drug activities to management and/or police.
- Support police “walk-through programs.”
- Maintain logbook to record occurrences and action taken; include names, date, time, and police action.

Staff

- Beware of potential for drug activities and constantly on the lookout for problems.
- Should monitor washrooms and pool table areas for drug trafficking/user activity on regular basis.
- Should be aware of patrons that are either phoned or use the phone on a regular basis.
- Must report all drug related activities to management and/or police.

Drug Trafficker

- frequently meets with different people, scouting and moving about the premises and making several trips with these people to the washroom or outside.
- frequently uses the pool table area of premises for making contact with users.
- makes and receives numerous telephone calls.
- carries large amounts of money.
- may use hiding places like in washrooms where drugs may be hidden behind ceiling tiles, light fixtures, fans, switch covers, in toilet tanks, or under sinks.
- may create hiding places in service areas by cutting slots into the padding of chairs or by taping drugs under tables or chairs.
- may hide drugs outside the building under garbage dumpsters, buried in loose earth or in and around vehicles.
- may conceal small quantities of heroin, cocaine or other drugs in their mouth so that it can be swallowed if the person is approached by the police. The drugs will be contained in condoms or balloons.
- may conceal drug sale activity by passing drugs to buyers in a cigarette package.
- usually drinks little or no alcohol but spends a lot of time on premises.

Drug User

- may possess unusual, special drug paraphernalia such as a miniature spoon, small smoking pipe, special rolling papers, or syringes.
- may roll up marijuana or hashish (joints) in the licensed premises.
- will typically use drugs where there is less likelihood of detection, usually in washrooms or outside in an alleyway or in parked vehicles.
- may have observable physical symptoms such as dilated pupils, drowsiness, rapid breathing, sweating, paleness, twitching, staggering, slurred speech.
- may exhibit erratic behaviour or significant changes in mood; extreme self-confidence, talkativeness or outbursts of laughter.

Beware! Rape drugs in bars by Larry Grand*

Page 1 of 2

Although most bar staff are aware of drugs like marijuana, cocaine and hallucinogens like ecstasy or LSD, rape drugs, sometimes improperly known as date rape drugs, are less known. This article is intended to increase your knowledge and awareness of these drugs, provide ideas for keeping them out of your bar, and when necessary, how to help someone who has been drugged.

The two rape drugs of interest in this article are **Rohypnol** and **GHB**. In Canada, medical and police reports of sexual assault rarely involve Rohypnol. GHB is commonly confirmed as the drug used to facilitate sexual assault. That said and not intending to diminish the importance of understanding the role these drugs play in sexual crime, it is important to note that alcohol remains the most common substance a perpetrator relies on for the purpose of harming someone in this war.

Sexual assault

Simply stated this is how the drugs are used. A customer in the bar secretly slips a strong dose of the drug into the intended victim's drink. When the victim suddenly becomes very intoxicated and helpless, the perpetrator steps in to remove the victim from the bar. Taken to another location, away from the view of others, the victim is sexually assaulted.

Rohypnol is the first known rape-assisted drug. Until recently, Rohypnol, a legal, minor tranquilizer in other countries but not Canada, dissolved quickly in liquid, making it easy to slip into drinks without arousing suspicion. Since 1997, the tablets have been manufactured to dissolve more slowly in liquid, turn clear beverages bright blue and turn darker beverages murky, these changes make it easier to detect the presence of the drug in a drink. Even when Rohypnol is taken without alcohol or other drugs, users can appear "drunk". The effects include loss of inhibitions and judgment, slurred

speech, weakness and staggering, dizziness, confusion and severe drowsiness. Users may also experience visual disturbances (hallucinations) and amnesia (loss of memory of events during the intoxication and beyond from eight to 24 hours).

GHB in its liquid form is odorless, colorless and tasteless. It is usually sold as a liquid in small vials and is also available as a white powder or capsule. The effects intensify with the amount used. In low doses, the user may feel more sociable, less inhibited and lightheaded. At higher doses, the user feels drowsy and dizzy, then nausea and vomiting can occur. An even higher dose can make the user fall into a deep coma-like sleep that is the state the perpetrator is trying to achieve. An overdose can lead to difficulty breathing and even convulsions and death. The effects can be felt within 10 to 20 minutes of taking the drug and last up to four hours.

It is important to distinguish between GHB use that is voluntary and recreational and GBH that is given to another person without their knowledge and consent. In the latter situation, the drug is intended to incapacitate the victim and enable the perpetrator to dominate and sexually violate the person to whom it is administered.

Defense is prevention

Bar staff are in a perfect position to help protect valued customers from such a crime. The first line of defense is prevention. Here is a list of things that can be done: Be on the look out for a customer or a group of customers, almost always males, who are unknown to you, coming into the bar. Are they moving or looking around a fair bit? Do they seem to be there to 'case the joint' instead of enjoying the venue? Are they approaching other customers, almost always females, offering to get them a drink directly from the bar? Are they buying a drink and then

Beware! Rape drugs in bars by Larry Grand*

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bringing this drink to another customer without the customer's consent or knowledge? If you have suspicions about such a customer or groups of customers, politely speak to that customer, express your concerns cautiously and continue to keep an eye on them. Often this brief encounter will motivate the potential perpetrator to give up or leave. When doing this, it is important not to interfere with a person's civil rights to be in the bar. Educate your female customers about these drugs and what they are used for. There are easy convenient ways to do this. For example, the Student Life Education Co. in Toronto has a very good poster directed to women. This poster could be put up in the women's washroom. Table tents with information are another form of education, as are brochures. Such brochures are available from the Center for Addiction and Mental Health, 1-800-463-6273 or 416-595-6111 or the Student Life Education Company 1-416-243-1338 or 1-416-243-2339 (fax).

Intervention

Sometimes prevention is not enough to stop someone from putting these drugs into a customer's drink. So, while at work, if you observe a customer in your bar experiencing any of the following symptoms, it is very important to intervene to protect that person from any potential harm. These symptoms include:

- The customer suddenly appears very intoxicated despite the number of drinks served.
- The customer is also dizzy, disoriented and confused; is experiencing weakness and staggering; feels simultaneously too hot and too cold and nauseous; is having difficulty speaking and may even pass out.

If you observe any of these symptoms, (whether they are drug related or not) here is a list of actions to take:

- Speak with the manager on duty.
- Call 911.

- Be aware of unaccounted males (one or more) who suddenly appear on the scene to "rescue" or accompany the intoxicated customer (usually a female) from the bar.
- Further to the above, do not let a male take the female customer from the bar unless you know the person escorting the customer and you are completely confident that they will act in the customer's best interest (examples include a husband/partner you know to be with that person or a close friend you know to be a close friend of the customer).
- If you cannot vouch for the escorting person, with the manager's and other staff assistance, have a staff person stay with the customer at all times.
- Never give another drug to the customer to counteract the effects of other drugs.
- Never put water in the mouth of an unconscious person.
- Examine the area where the customer in question had been. Collect any container, usually a small vial that might have held the alleged drug and if possible, the customer's last drink. Pass these items to the police as soon as possible.

Game plan

The use of rape drugs is an ever-increasing threat to bar customers. With a balanced game plan and attention to the possibility that rape drugs could be used in your bar, your customers' safety will be enhanced.

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APPENDIX D

SPECIAL OCCASION AND RECEPTION PERMITS

- Ensure that you have an adequate number of volunteers and security people to monitor the event.
- Remind all volunteers prior to the event that they must not consume liquor while on duty. If a volunteer is found drinking while working, advise them immediately that they can no longer volunteer for the remainder of the evening.
- Have security personnel at the front door who will refuse entry to intoxicated people and who will ensure these persons do not enter.
- Have a security person at each exit door so that all people will enter and exit only through the front doors. Monitor the doors closely during the evening to ensure that people who walk in and out are not carrying alcoholic drinks. Refuse entry into the premises to any intoxicated person.
- Throughout the evening, monitor all patrons closely and limit their number of drinks. If some people become intoxicated and are cut off and refuse to leave, security volunteers must work together as a team to ensure that these patrons leave.
- If you are having difficulty with patrons refusing to leave or with controlling the premises, you have the option of closing the bar and not reopening it until all permit conditions are once again under control. (You may choose to keep the bar closed for the remainder of the evening.)
- Meet and consult with the RCMP well in advance of the upcoming event.

- Our “Hosting an Event” pamphlet is a useful resource, and is available free of charge at all Yukon Liquor Corporation locations, as well as on-line at www.ylc.yk.ca.



Picnic at Lake Bennett, circa 1898. — Yukon Archives, H.C. Barloy fonds #4799.

PERMITS & SERVING LIQUOR RESPONSIBLY

There are two kinds of permits — a Reception Permit and a Special Occasion Permit. Make sure you get the right one.

Remember — if your name is on the permit, you are responsible for your event.

Questions? Please contact us — our contact information is on the back of this pamphlet.



APPENDIX E

ANSWER KEY TO CHAPTER PRE- AND POST- SELF-TESTS

Answers to Chapter Pre and Post Self-Tests

Chapter 2

PRE-TEST

- 1) a
- 2) True

POST-TEST

- 1) True
- 2) 
- 3) Minors
Intoxicated Persons
Noisy, violent, disorderly, or profane persons
Barred Persons

Chapter 3

PRE-TEST

- 1) False
- 2) Blood Alcohol Concentration

POST-TEST

- 1) 4
- 2) 0.08
- 3) c
- 4) True

Chapter 4

PRE-TEST

- 1) True
- 2) c

POST-TEST

- 1) Correct answers include: amount of alcohol, rate of consumptions, gender, experience, tolerance, other drugs, fatigue and stress, mood, general health, carbonation and temperature, alcohol and body temperature, setting and atmosphere
- 2) b
- 3) Definition is: “intoxicated” and “intoxicated condition” each mean *the condition a person is in when his or her capabilities are so impaired by liquor that he or she is likely to cause injury to himself or herself or be a danger, nuisance, or disturbance to others*

Chapter 5

PRE-TEST

- 1) True
- 2) d)

POST-TEST

- 1) Inhibitions
Judgment
Reactions
Coordination
- 2) b) slow down service
- 3) 3
- 4) True
- 5) 10

Chapter 6

PRE-TEST

- 1) d
- 2) True

POST-TEST

- 1) A spacer drink is a non-alcoholic drink which will allow time for the body to eliminate some alcohol.
- 2) False
- 3) Time

Chapter 7

PRE-TEST

- 1) True
- 2) Call the RCMP
- 3) False
- 4) True

POST-TEST

- 1) b
- 2) False
- 3) Call the RCMP
- 4) True
- 5) (a) Identify yourself as a person who has the authority to ask a person to leave
(b) Always ask the customer to leave
(c) Give the person reasonable time to leave
- 6) d.

Chapter 8

PRE-TEST

- 1) False

POST-TEST

- 1) No
- 2) You could be held responsible and could be charged by the RCMP. The business could also have its licence suspended for revoked. You could be sued.

Chapter 9

PRE-TEST

- 1) True

POST-TEST

- 1) *Yukon Human Rights Act*
- 2) True

Chapter 10

PRE-TEST

- 1) False

POST-TEST

- 1) Any three of:
Driver's licence
Yukon Liquor Corporation photo ID card
Passport (Canadian or from another country)
Canadian Armed Forces ID card with photo
Canadian citizenship card with photo
- 2) b.
- 3) True

Chapter 11

PRE-TEST

- 1) False

POST-TEST

- 1) Any of the following:
Monitoring the door
Management of peak hours and crowds
Actively promoting and marketing food

Pricing away from intoxication
Server training
Environment
Discretionary powers to staff
Safe transportation home (Designated driver, Alternate transportation)
Setting a drink limit for patrons
Publishing the establishment's responsible alcohol service position
Suggestive selling low alcohol and non-alcohol products Management
of special events
Minors
Techniques for responsible service
Problem patrons
Intoxicated patrons
Use of the incident log (logbook)
2) True

Chapter 12

PRE-TEST

1) False

POST-TEST

1) True

2) Any two of

- -Set clear and consistent house policies for monitoring alcohol consumption, for refusing entry or service, and for ensuring that guests get home safely.
- While on shift, talk to the other staff and the manager about the guests and their behaviour.
- Make sure your premises (including the surrounding area controlled by you) are safe.
- Document what you see and what you do, so there is a record of what happened when someone is refused entry or service, and what you did to make sure your guests got home safely.