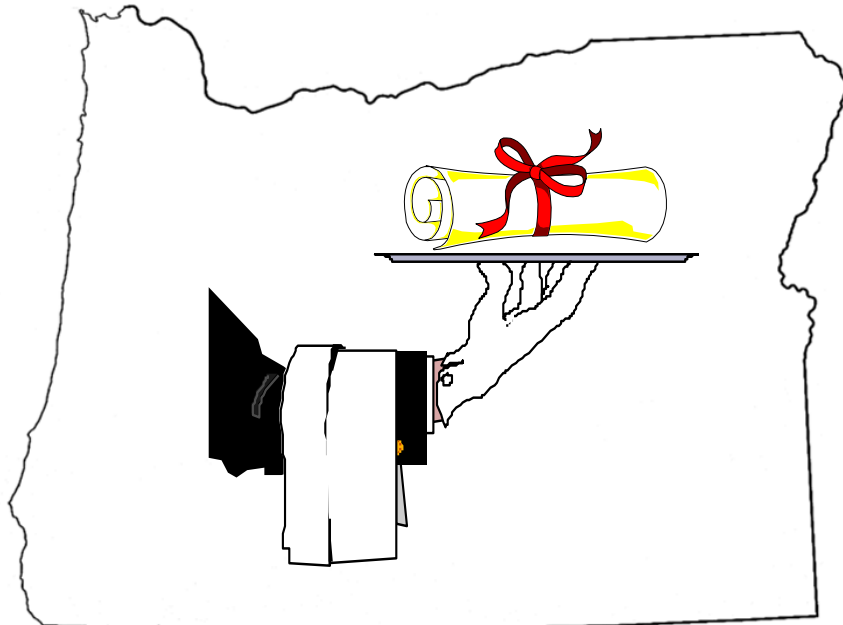




Alcohol Server Education

MODEL
STUDENT WORKBOOK

*The Best Thing To
Mix With Alcohol
Is Education.*



May 2016

TABLE OF CONTENTS

Unit One – Oregon’s Alcohol Server Education Program	1
Course Goals and Requirements	1
The Problem and the Solution	2
Legal and House Duties	2
Professional Duties	3
Service Permits	3
Unit Two – Alcohol the Drug	4
Alcohol in the Body	4
BAC (Blood Alcohol Content)	4
Factors Affecting BAC and Impairment	4
Alcohol and Pregnancy	5
Alcohol Myths	5
Unit Three – Minors and Checking ID	6
The Laws on Minors	6
When Minors are Allowed in Prohibited Areas	6
Identifying Minors	6
Acceptable ID and Checking ID	7
Confiscating False ID	8
Minor Decoy Program	8
Unit Four – Visibly Intoxicated Person (VIP)	9
Visible Intoxication	9
50 Likely Signs of Visible Intoxication	9
Good Faith Effort Law	10
BAC chart	10
Estimating Intoxication and Drink Equivalency	11
Unit Five – Intervention Techniques for Dealing with VIPs and Minors	12
Intervention Attitudes and Techniques	12
Intervention Scripts	13
House Policies and Management Commitment	13
Unit Six – Third Party Liability and Drinking & Driving Laws	14
Third Party Liability	14
Incident Log	14
DUII Laws	14
Designated Driver Program	14
Unit Seven – Oregon’s Basic Retail Liquor Laws	15
Types of Licenses	15
Hours of Alcohol Service	15
Alcohol in a Licensed Premises	15
Wine from a Partially Consumed Bottle	15
Open Container Law	15
Drinking on Duty	15
Minor Service Permittees	16
Licensee and Permittee Responsibilities	16
Neighborhood Livability	16
Certified Security	16
Cooperating with OLCC	17
Liquor as a Prize	17
Prohibited Drink Promotions	17
Food Service Requirements	17
Liquor Law Violations	17
Penalties for Sale to a Minor	18

Unit One
**RESPONSIBLE ALCOHOL SERVICE AND
OREGON'S ALCOHOL SERVER EDUCATION PROGRAM**

COURSE GOALS

The goals of this course are:

- To promote responsible alcohol consumption through responsible alcohol service
- To give you the knowledge and skills to prevent alcohol sales to minors and visibly intoxicated persons and avoid third-party liability lawsuits
- To help you realize that your actions can reduce the number of intoxicated drivers, deaths, injuries, and other costs resulting from alcohol abuse
- To give you practice in checking ID and stopping service to visibly intoxicated persons.

This workbook is yours to keep and use as a workplace reference guide.

COURSE REQUIREMENTS

Students must complete the entire class before taking the exam.

Students may not drink alcohol or be under the influence of intoxicants during the class and exam.



If you have questions, complaints, or comments about the class, call the OLCC at 503-872-5133 or 1-800-452-6522, extension 5133.



If you have questions about service permits, call 503-872-5139 or 1-800-452-6522, extension 5200.



The OLCC has 11 field offices. Call the main office in Milwaukie for the phone number and location of the office for your county: 1-800-452-6522.



For more information, visit the OLCC's Web site at www.oregon.gov/olcc.

THE OLCC

The Oregon Liquor Control Commission is the state agency responsible for regulating the manufacture, sale, and use of alcoholic beverages. The OLCC issues liquor licenses and service permits; it monitors and regulates the Alcohol Server Education program; and it enforces liquor laws.

THE PROBLEM



Alcohol abuse is the nation's #_____ drug problem. It is a major factor in crashes, drownings, industrial accidents, and serious crimes, including murder, suicide, assault, rape, and domestic abuse. Alcohol-related crashes are a leading cause of death among teenagers and young adults.

Recent statistics on the misuse of alcohol:

One in 10 drinkers in the U.S. is an alcoholic.

THE SOLUTION

Responsible alcohol service promotes responsible drinking. By participating in the Alcohol Server Education course, you will realize your ability to:

1. _____
2. _____
3. _____

COURSE ORIGIN

The idea for this mandatory Alcohol Server Education program came from the _____. It was requested by business owners to protect alcohol servers, businesses, and society in general from the problems associated with alcohol abuse. The idea behind the law is to teach alcohol servers liquor laws and how to serve alcohol responsibly.

LEGAL DUTIES

These are duties **the law requires** you to perform. Some examples are:

1. _____
2. _____
3. _____

HOUSE DUTIES

These are duties set by your **place of business** and are equal to or stricter than legal duties. Some examples are:

1. _____
2. _____
3. _____

PROFESSIONAL DUTIES

These are duties you personally choose to perform because you want to do more than the law requires to protect your customers, yourself, and your community. Some examples are:

1. _____
2. _____
3. _____

LIQUOR LICENSEE

This is the person or business entity licensed to sell alcoholic beverages. **Owners of businesses that sell alcohol by the drink must take a server education class before being issued a liquor license.**

SERVICE PERMITS



Anyone who participates in any manner in mixing, selling, or serving alcohol for drinking on the premises, and anyone who manages these people, must have a valid liquor license or service permit issued by the OLCC. Additionally, anyone who fills “growlers” for Off-Premises locations also needs a permit.

1. A service permit is good for _____ years from the date of the class.
2. It must be available for immediate inspection at all times while on duty.
3. It belongs to the _____, not the employer.

2 STEPS TO GET A SERVICE PERMIT

1. **Complete an application before your first day of mixing, selling, or serving alcohol. Have an authorized person, usually your employer, verify your age and identity and sign the application. Mail the application immediately to the OLCC with the \$23 fee.**
2. **Take a server education class within 45 days of turning in the application and mixing, selling, or serving alcohol (you will have to pay a separate fee for the class). Pass the exam with a score of 70% or better and you should receive your permit within 14 days.**

Unit Two
ALCOHOL THE DRUG

ALCOHOL THE DRUG

Alcohol is a legal drug. It is a **depressant** and produces intoxication and impairment by depressing the mental and physical functioning of the central nervous system (CNS).

Alcohol is dangerous when consumed in excess and when taken with other legal or illegal drugs.

ALCOHOL IN THE BODY

Alcohol is absorbed into the bloodstream almost immediately after it is consumed.

The liver is the body's detoxification organ. It breaks down or metabolizes about one average drink per hour.

The only factor that reduces intoxication is time.

Intoxication results when _____



BAC

BAC stands for blood alcohol content. It is the measure of the amount of alcohol in the blood.

In Oregon, it is illegal to drive with a BAC of _____% or higher.



FACTORS AFFECTING BAC AND IMPAIRMENT

Alcohol impairs the mental and physical functions needed to drive safely. **Judgment is the first function impaired.** Reaction time, coordination, and vision are also quickly affected. Many nonalcoholic drugs also impair the ability to drive safely.

These factors influence a person's reaction to alcohol consumption:

- Quantity of alcohol
- Food consumption
- Other drugs
- Age
- Gender
- General health
- Altitude
- Time spent drinking
- Tolerance to alcohol
- Fatigue and stress
- Body type
- Mood
- Carbonation, temperature, sugar

ALCOHOL AND PREGNANCY

Drinking during pregnancy may cause birth defects, but it is not known how much alcohol may cause harm. In Oregon, it is not against the law for a pregnant woman to consume alcohol nor is it against the law to serve her. In fact, it may violate anti-discrimination laws to refuse service based on a gender-related condition like pregnancy.

Retail licensees are required to post warning signs about the risks of alcohol consumption during pregnancy. These signs are available from your local OLCC office.

ALCOHOL MYTHS

Myth: Alcohol is a stimulant.

Fact: _____

Myth: A drink may help a person relax and drive better.

Fact: _____

Myth: Beer and wine are less intoxicating than distilled spirits.

Fact: _____

Myth: It's easy to spot an alcoholic.

Fact: _____

Myth: Drink coffee to sober up.

Fact: _____

Myth: If you have a designated driver, you may drink all you want.

Fact: _____

Myth: Alcohol will warm your body if you're cold.

Fact: _____

Unit Three MINORS AND CHECKING ID

THE LAWS ON MINORS



WHEN MINORS ARE ALLOWED IN PROHIBITED AREAS

- It is illegal to serve, sell, or give alcohol to any person under 21.
- It is illegal to allow any person under 21 into areas prohibited to minors.
- Oregon law requires you to check the ID of every customer who looks younger than 26 before serving or selling them alcohol and before allowing them into prohibited areas.

Minors may be in prohibited areas in these instances:

1. A minor customer may be in the immediate company of a spouse or Domestic Partner who is at least 21 years old. The minor may not buy, have, or drink alcohol. Most house policies choose to prohibit this.
2. Minor customers may order and eat meals in an area which permits minors during specific posted hours.
3. Minor entertainers may perform in prohibited areas. When not performing, they must stay in a break or dressing room, in an area where minor customers are allowed, or in a **designated area approved by the OLCC** where there is no alcohol.
4. Minor contractors or vendors who have a legitimate business purpose may be in a prohibited area long enough to perform their business duties.
5. Minor employees who do not have service permits may enter prohibited areas only long enough to restock supplies and do food service related activities (such as set and clear tables).

IDENTIFYING MINORS

The law says you must check the ID of anyone who looks younger than 26, but your house policy may set a higher age.

Appearance and mannerisms provide clues about the customer's age. Ask yourself:

- *How old does the customer look?*
Look at facial features, facial hair, hair style, makeup, etc.
- *How is the customer dressed?*
Are they wearing clothes or apparel that hides their appearance, such as a hat, sunglasses, etc.?
- *How does the customer behave?*
Do they appear ill at ease, unsure, or afraid of eye contact? Do they stay together in a group, giggling, looking nervous?

ACCEPTABLE ID



There are 4 stand-alone types of acceptable identification in Oregon. These are known as *stand-alone* ID because each alone is sufficient proof of age.

1. A valid U.S. state* **DRIVER LICENSE** with photo.
2. A valid **ID** card issued by a U.S. state*with photo, name, date of birth, and physical description.
3. A valid **PASSPORT**.
4. A valid **U.S. MILITARY ID** card (including CAC cards).

*Includes District of Columbia

Valid means the ID is readable, unaltered, and unexpired. Expired ID is not acceptable as legal proof of identity or age.

CHECKING ID

You are responsible for checking the ID of your own customers, even if a co-worker or door checker has already checked it.

GENERAL TIPS

- Always have the customer remove the ID from their wallet.
- Check the expiration date first. Expired ID is not valid ID.
- Look carefully at the most commonly altered areas: expiration date, birth date, "Minor Until" date, and photo.
- Have a flashlight handy and hold it behind the ID to look for cuts, punch outs, or pin holes.
- Check the lamination on Oregon IDs:
 - 2004 – Mid 2007: Both front and back are laminated. Lamination stops about 1/16 inch from the edge on all 4 sides. (the last of these will expire in 2015)
 - Mid 2007- present: Lamination completely covers back and front. The plastic is thinner, but stronger.
- Turn the ID 90 degrees to look for numbers and letters that are out of line.
- Ask for a second piece of ID if you have doubts about the first. People with false ID rarely carry back-up ID.

U-CARD Memory Aid

- U** – Unaltered: Feel for cuts, bumps, uneven lamination
- C** – Current: Check expiration date: expired ID is not valid
- A** – Age: Birth date must show the person as 21 or older
- R** – Readable: You must be able to read and understand the ID
- D** – Description: Compare photo with the person: height, weight, facial structure, etc.

T-L-A Memory Aid

- T** – Touch: Touch for alterations: bumps, cracks, slits
L – Look: Really look, don't just glance, at ID
A – Ask: Ask questions: What's your zip code? How do you spell your middle name? What year did you graduate high school?

Pick a method for checking ID and use it consistently. Having a system will make checking ID easier and faster.



CONFISCATING FALSE ID

You do ***not*** have a legal duty to confiscate false ID, and the OLCC does ***not*** recommend it. If your house policy says you should confiscate false ID, turn it over to the police, DMV, or OLCC. Record the incident in your incident log.

MINOR DECOY PROGRAM

To test how well businesses obey the laws on minors, the OLCC has 17 to 20-year-old volunteers attempt to buy alcohol at liquor stores, supermarkets, restaurants, bars, and special events. If carded, the minors show their own valid identification, which clearly indicates they are underage, or they say they have no identification with them.

OLCC minor decoy operations follow clear standards:

- (1) The minor decoy must be under 21
- (2) The minor decoy must look younger than 26
- (3) The minor decoy may not use false ID
- (4) The minor decoy may not lie about their age (if asked how old they are, the decoy may say, "How old do you think I am?" but they will not give a false age).

Servers can avoid selling alcohol to a minor decoy if they follow one simple rule:

Always obey the laws on minors:

- ***Card everyone who looks younger than 26***
- ***Look, really look, at the ID***
- ***Don't serve or sell alcohol to someone who looks younger than 26 but doesn't have ID***
- ***Never serve or sell alcohol to a minor.***



Unit Four VISIBLY INTOXICATED PERSONS

VISIBLE INTOXICATION

Visible intoxication is the standard servers must use to determine if someone has had too much to drink. If you can tell on sight that a person has been drinking or using other drugs, the person is visibly intoxicated.



VIP = Visibly Intoxicated Person

- It is illegal to serve alcohol to a VIP and
- It is illegal to allow a VIP to continue to consume alcohol.

50 SIGNS OF VISIBLE INTOXICATION

If a person shows just one or two of these signs, that may not mean the person is intoxicated. But if the person shows a _____ of signs or has a significant _____ of behavior it could be a strong indication that the person is intoxicated.

50 Likely Signs of Intoxication

<p><u>Appearance</u></p> <ol style="list-style-type: none"> 1. Bloodshot, glassy, or watery eyes 2. Flushed face 3. Droopy eyelids 4. Blank stare or dazed look 5. Twitching or body tremors 6. Disheveled clothing <p><u>Speech</u></p> <ol style="list-style-type: none"> 7. Thick, slurred speech 8. Loud, noisy speech 9. Speaking loudly, then quietly 10. Rambling train of thought 11. Unusually fast or slow talking 12. Slow response to questions or comments 13. Repetitive statements 14. Bravado, boasting 15. Making irrational statements <p><u>Attitude</u></p> <ol style="list-style-type: none"> 16. Annoying other guests and employees 17. Argumentative 18. Aggressive or belligerent 19. Obnoxious or mean 20. Inappropriate sexual advances 21. Overly friendly to other guests or employees 22. Boisterous <p><u>Behavior</u></p> <ol style="list-style-type: none"> 23. Swaying, staggering, or stumbling 24. Unable to sit straight 	<p><u>Behavior (cont.)</u></p> <ol style="list-style-type: none"> 25. Careless with money 26. Difficulty making change 27. Restless 28. Depressed or sullen 29. Crying or moody 30. Extreme or sudden change in behavior 31. Overly animated or entertaining 32. Crude, inappropriate speech or gestures 33. Drowsiness or falling asleep 34. Lack of focus and eye contact 35. Difficulty standing up 36. Unusual walk 37. Can't find mouth with glass 38. Falling down or falling off of chair 39. Difficulty lighting cigarettes 40. Lighting more than one cigarette 41. Clumsy 42. Difficulty remembering 43. Spilling drinks 44. Disoriented 45. Agitated, anxious 46. Grinding teeth 47. Vomiting <p><u>Other</u></p> <ol style="list-style-type: none"> 48. Odor of alcohol, marijuana or chemicals 49. Excessive perspiration 50. Repeated trips to rest room or outside area
---	--

VISIBLE INTOXICATION & OTHER DRUGS

You must not serve alcohol to anyone showing signs of visible intoxication, no matter what drug the person used to become intoxicated.

GOOD FAITH EFFORT LAW

The law says you must make a “good faith effort” to remove a drink from a customer who has become visibly intoxicated.



“Good faith effort” means:

- ① **Placing your hand on the drink and trying to remove it**
- or
- ② **Making a verbal request for the drink if you think touching the drink may cause a disturbance.**

You are not required to first give a verbal warning to the VIP when removing the alcohol. It is legal for an intoxicated person to remain on the premises, but they must not consume alcohol or have an alcoholic drink in front of them.

BAC CHART

Approximate Blood Alcohol Content Percentages

		Body weight in pounds								
Drinks	100	120	140	160	180	200	220	240		
1	.04	.03	.03	.02	.02	.02	.02	.02	Caution	
2	.08	.06	.05	.05	.04	.04	.03	.03		
3	.11	.09	.08	.07	.06	.06	.05	.05	Driving Impaired	
4	.15	.12	.11	.09	.08	.08	.07	.06		
5	.19	.16	.13	.12	.11	.09	.09	.08	Legally drunk	
6	.23	.19	.16	.14	.13	.11	.10	.09		
7	.26	.22	.19	.16	.15	.13	.12	.11		
8	.30	.25	.21	.19	.17	.15	.14	.13		
9	.34	.28	.24	.21	.19	.17	.15	.14		
10	.38	.31	.27	.23	.21	.19	.17	.16		

Your ability to drive safely is directly related to the percent of alcohol in your bloodstream. One drink per hour is the lifesaving limit for drivers.

1.5 oz.
distilled spirits



=

5 oz.
wine



=

12 oz.
beer



This chart is based on the official BAC standard of the National Safety Council. BAC levels indicated are based on the average response to alcohol. The chart is only a guide. Individual BAC levels will vary.

ESTIMATING INTOXICATION



DRINK EQUIVALENCY

By counting drinks, not glasses, you can keep track of how much alcohol you are serving your customers. Using the BAC Chart, you can estimate the Blood Alcohol Content of your customers.

Visible intoxication is the standard for servers. BAC is the standard for police and the courts. As a server, you're not expected to know a customer's BAC, but you are required to recognize visible intoxication.

There is approximately the same amount of alcohol in:

***1.5 oz. of 80-proof distilled spirits = 5 oz. of 12% wine =
12 oz. of 5% beer***

or

A drink is a drink is a drink.

One form of alcohol is no more intoxicating than another.

Unit Five

INTERVENTION TECHNIQUES FOR DEALING WITH VISIBLY INTOXICATED PERSONS AND MINORS

INTERVENTION

Intervention is the *plan of action* you take as a server that:

- Prevents a customer from drinking to intoxication
- Prevents minors from drinking
- Deters intoxicated persons from driving.

It is your plan for bringing together your legal, house, and professional duties.

INTERVENTION ATTITUDES



A professional attitude and approach when cutting off or refusing service keeps you in control of the situation. Intervene early – don't let a problem develop. Here are some guidelines:

- Be courteous & concerned
- Be tactful
- Be firm: remain calm & don't back down
- Be confident
- Be discreet

INTERVENTION TECHNIQUES



The law requires you to refuse service to visibly intoxicated persons and minors, and your house policies may say that you should refuse service in other situations as well.

You have the right to refuse alcohol service to anyone as long as you don't violate anti-discrimination laws. Federal, state, and local laws say you may not discriminate based on race, religion, sex, sexual orientation, marital status, disability, color, or national origin.

1. Smile, make eye contact, and take your time checking ID.
2. *Chat with customers to determine their status.*
3. Watch for signs of visible intoxication.
4. *Know general drink limits based on the BAC Chart.*
5. Know how much the glassware in your business hold.
6. *Count the number of drinks, not glasses.*
7. Wait until a customer finishes a drink before offering another.
8. *Serve one drink at a time.*
9. Check with co-workers if they have served the customer.
10. *Slow service to a customer who is drinking rapidly.*
11. Encourage customers to order food.
12. *Offer water, coffee, or other nonalcoholic spacers between drinks.*
13. Give last call in person only to customers' not approaching intoxication.
14. *Announce closing time instead of last call.*
15. When you cut off service, tell your manager and co-workers.
16. *Take a co-worker with you when you have to refuse service or pull a drink.*
17. Use peer pressure when appropriate by asking for support from the customer's friends.
18. *Use distraction when you pull a drink (example: the wipe-and-swipe method).*
19. Replace a pulled drink with something else: coffee, water, pop, food.
20. *Offer alternative transportation for VIPs.*
21. Detain the intoxicated customer if possible; threaten to call the police if necessary.
22. *Do call the police if the intoxicated customer drives away.*

INTERVENTION SCRIPTS



- Avoid “you” statements
- Use “I” statements

Focus on the law and the consequences you face

“I’m not able to bring you another drink tonight. I could get into trouble with the law and lose my service permit if I serve you more alcohol. How about I bring you a cup of coffee and get you something to eat.”

“Our company policy doesn’t allow me to serve you any more alcohol. We could get into trouble with the OLCC and lose our liquor license. I’ll bring you a Coke and how about a basket of French fries or a plate of Buffalo wings to go with it?”

“Listen, I could get fired if I serve you another drink. The OLCC could fine the business and me, and I could lose my job. I’ll bring you a soda or a cup of coffee instead.”

Focus on the customer’s well-being

“Look, I’m concerned about your safety. I want to be sure you get home okay tonight. Why don’t I bring you a glass of our fresh lemonade while you look at our appetizer menu and choose something to eat? Customers tell me that our chicken strips are the best in town.”

“I know this is frustrating, but I want to be sure you don’t get into trouble tonight. The cops have been patrolling the area a lot the last few weeks and pulling over people for DUII. I don’t want to see you get in trouble. Instead of another beer, I’ll bring you a glass of ginger ale.”

“Legally, I’m not allowed to serve you another drink. This glass of water will help you avoid getting a hangover tomorrow, and in the meantime, I’ll bring you a bowl of peanuts and some bread sticks.”

Do not: bargain; debate; get defensive; or give lengthy explanations.

HOUSE POLICIES & MANAGEMENT COMMITMENT

Management commitment is essential to create a supportive environment that encourages responsible employee practices. Owners and managers have an obligation to support their servers’ efforts to obey the law. The best way to do that is to establish house policies that promote responsible alcohol service.

List some sample house policies that would help you as a server do your job legally and responsibly:

Unit Six
THIRD PARTY LIABILITY AND DRINKING & DRIVING LAWS

THIRD PARTY LIABILITY

As an alcohol server, you can be held responsible, or “liable,” for damages caused by an intoxicated driver or a minor if you serve them alcohol. The intent of third party liability is to make licensees and servers responsible for their actions if they break the law.

Liability lawsuits involve three parties:

1st party – The server and/or licensee

2nd party – The intoxicated person or minor

3rd party – The victim

You can protect yourself by **not serving visibly intoxicated persons and minors.**

If servers obey the laws, they are NOT liable. Liability applies only when servers violate the law.

INCIDENT LOG



An incident log is a written record of any problem or event such as a fight, refusing service to a minor or VIP, confiscating ID, or calling the police. Record the following:

1. *Names and addresses of witnesses (customers & employees). Describe the person if you can't get a name.*
2. *License plate number if a car is involved.*
3. *Date and time of day.*
4. *Describe events before, during, and after incident.*
5. *Retain the record for at least two years.*

The best style of log book is:

DUII LAWS

Driving Under the Influence of Intoxicants.

A person can be convicted of a DUII if:

- Their BAC is .08% or higher or
- Their BAC is lower than .08% but they fail a field sobriety test.

BAC is determined by chemical analysis of blood, breath, or urine. It is the legal standard police and the courts use to determine levels of intoxication.

DESIGNATED DRIVER



This life-saving program encourages every party to designate a non-drinking person to be the driver for the group.

However, the law states you cannot sell or serve alcohol to any customer who is visibly intoxicated whether or not the customer

TYPES OF LICENSES

HOURS OF ALCOHOL SERVICE

ALCOHOL IN A LICENSED PREMISES

WINE FROM A PARTIALLY CONSUMED BOTTLE

OPEN CONTAINER LAW

DRINKING ON DUTY



is driving.

**Unit Seven
OREGON'S BASIC RETAIL LIQUOR LAWS**

The most common liquor licenses are:

- **Full On-Premises Sales:** May sell beer, wine, cider, and distilled spirits by the drink. May sell “growlers” of beer, wine and cider. Food must be available.
- **Limited On-Premises Sales:** May sell beer, wine, and cider by the drink. May sell “growlers” of beer, wine and cider.
- **Brewery-Public House:** May sell beer, wine, and cider by the drink and for off-premises consumption. May manufacture malt beverages. May sell “growlers” of beer, wine and cider.
- **Winery:** May manufacture and wholesale wine and cider. May sell beer, wine, and cider by the drink and for off-premises consumption. May sell “growlers” of beer, wine and cider.
- **Off-Premises Sales:** May sell beer, wine, and cider for off-premises consumption only. May sell “growlers” of beer, wine and cider.

Alcohol may be sold, served, or consumed on a licensed premises from 7:00 a.m. to 2:30 a.m.

The only type of alcohol that may be on a licensed premises is the kind permitted by the license.

Businesses with Full On-Premises or Limited On-Premises licenses may allow a customer to take home an unfinished bottle of wine as long as the customer is not showing signs of visible intoxication and the wine was served in conjunction with a meal.

This law states _____

Licensees and servers must not consume alcohol or be under the influence of intoxicants while on duty. “On duty” means from the _____ of the work shift to the _____ of the shift, including meals and all breaks.

Servers are held to the higher standard of not being under the influence of intoxicants rather than not being visibly intoxicated.

MINOR SERVICE PERMITTEES



Minors, 18-20 years old, may take orders for, serve, or sell alcohol only in areas where the minor posting allows minor customers.

Minor permittees **MAY**:

- 👍 Take orders for and serve alcohol only in areas not prohibited to minors, such as a dining room or hotel lobby
- 👍 Pour beer or wine at a customer's table
- 👍 Draw alcohol from a tap if the tap is not in a prohibited area
- 👍 Fill growlers in premises with an Off-Premises license
- 👍 Enter prohibited areas, such as a bar or lounge, to:
 - Order and pick up drinks
 - Restock supplies
 - Set and clear tables
 - Deliver food (but not take orders for food)
- 👍 Minor permittees may be in prohibited areas only long enough to perform the above duties.

Minor permittees may **NOT**:

- 👎 Serve or take alcohol orders in areas prohibited to minors, such as a bar or lounge
- 👎 Take food orders in prohibited areas
- 👎 Function solely as a bartender or cocktail server
- 👎 Mix drinks.

LICENSEE RESPONSIBILITY FOR EMPLOYEE CONDUCT

Licensees are responsible for any liquor law violations committed by their employees and may also be responsible for criminal acts committed by their employees on the licensed premises.

LICENSEE AND PERMITTEE RESPONSIBILITIES

Licensees and permittees must take action when they suspect a co-worker is involved in criminal activity and are also responsible for the unlawful activity of customers. This would include prostitution, illegal gambling, or illegal drug use in or near the business.

NEIGHBORHOOD LIVABILITY

Licensees and permittees may be held responsible for customer disturbances which affect a neighborhood's livability. They must not permit noisy or disorderly activities on or in the immediate vicinity of the licensed premises.

CERTIFIED SECURITY

Individuals who function primarily as security personnel must be certified by the state. Licensees, managers, and servers should contact the Oregon Department of Public Safety Standards and Training (DPSST) for further information on which employees need certification at 503-378-2100 or www.oregon.gov/DPSST. Failure to have the proper certification may result in fines of \$500 or more for the employee and \$1,650 or more for the licensee.

COOPERATING WITH OLCC



OLCC regulatory officials normally inspect businesses when they are open to the public. OLCC officials may examine licensed premises after hours when they have reason to believe a violation of liquor laws is occurring.

Licensees and permittees must cooperate with OLCC officials by:

- Promptly admitting them to the premises
- Calling the police when asked to do so
- Not destroying, damaging, altering, removing, or concealing evidence
- Giving OLCC or the police evidence when asked.

LIQUOR AS A PRIZE

Alcohol may not be given as a prize, premium, or consideration for any kind of lottery, contest, game, or competition on a licensed premises. (Exceptions exist for charitable, nonprofit, religious, and fraternal organizations. See ORS 471.408.)

PROHIBITED DRINK PROMOTIONS

The following promotions are prohibited:

- “All-you-can-drink” offers, including charging a cover fee and then offering “penny” (or other nominally priced) drinks
- Drinking contests, games, exhibitions, or competitions of any kind involving alcohol (for example, beer pong or “21 for 21”)
- Pouring or serving alcohol directly into a person’s mouth (including through any device such as a “bong”)
- The use of any kind of alcohol vaporization device
- The sale or service of distilled spirits by the bottle for on-premises consumption
- Happy hour (or any price reductions) after midnight
- Advertising happy hour or happy hour times with happy hour prices outside the premises.

FOOD SERVICE REQUIREMENTS

Food service contributes to responsible alcohol service. The time a customer spends eating is time they are not drinking. Time is the only factor that reduces intoxication, and food buys time.

It is a good policy for servers in **any** business selling alcohol by the

LIQUOR LAW VIOLATIONS



drink to encourage food service to customers. However, Oregon law requires food to be readily available only in businesses that serve distilled spirits (or hard liquor).

Businesses with Full On-Premises Sales (or hard liquor) licenses must have food available at all times they are serving alcohol. It is illegal to discourage a customer from ordering food in any business licensed to sell distilled spirits by the drink.

The OLCC may suspend or revoke a liquor license or service permit for liquor law violations. For the first violation the license may be suspended for 10 days or fined \$1,650. A service permit may be suspended for 10 days or fined \$250.

Fines increase for subsequent violations and may eventually result in the cancellation of the liquor license or service permit.

PENALTIES FOR SALE TO A MINOR

	LICENSEE	SERVICE PERMITTEE	CIVIL PENALTY (Store clerks)
1 st Sale	\$1,650 or 10 day suspension	\$250 or 10 day suspension	\$500 fine, Criminal record
2 nd Sale	\$4,950 or 30 day suspension	\$500 or 30 day suspension	\$1,000 fine, Criminal record
3 rd Sale	Mandatory 30 day suspension	Mandatory 30 day suspension	\$1,500 fine & 30 days in jail, Criminal record

Other violations which could result in the same fines for licensees and service permittees include:

- Sold or served alcohol to a VIP
- Allowed sale without a service permit
- Failed to properly check ID
- Permitted unlawful or disorderly activities
- Drinking on duty.

The above fines are guidelines only. The OLCC may aggravate or mitigate sanctions based on the circumstances of the violation.

