



## Module 3 – Part 4

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# Intoxicated People and Alcohol Sales

*In this module, we will focus on preventing illegal alcohol sales to people that are intoxicated. This module will take 5 minutes.*



# KEY # 3: Know When and How To Say “No”

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## What Are The Keys To Saying “No”?

*In order to prevent an illegal sale of alcohol, you need to:*

### 1. Be Quick

- ✓ You must be timely in order to be effective.

### 2. Be Clear and Firm

- ✓ Be polite to your customer, but be clear and firm in your refusal to sell alcohol.

### 3. Be Consistent

- ✓ Say "No" in the same way every time.





# Be Quick



## Preventing Intoxication

If you see that a customer is drinking quickly, they may become intoxicated quickly as well. In this case, you can:

- ✓ Slow down service
- ✓ Avoid going to the table as often
- ✓ Offer food or non-alcoholic beverages
- ✓ Suggest other activities



In an off-premise situation, a seller has only a matter of seconds/minutes to determine if a person is intoxicated.

- ✓ Observe the person when they walk in the store, are they stumbling or having problems keeping their balance?
- ✓ When at the counter, do they smell of alcohol, have glassy or red eyes?
- ✓ When paying, do they have problems counting or handling money?



## Be Quick



**NOTE:** Remember, a customer may have had one or more drinks elsewhere, so it is important to establish a customer's current state before serving alcoholic beverages.



### **Reassessing Intoxication**

Remember that alcohol takes time to reach the brain and cause intoxication. A person's BAC will continue to rise, and their intoxication levels increase for an hour or more after they stop consuming alcohol.

If you feel another alcoholic beverage would make the customer intoxicated or possibly intoxicated, politely refuse service.

# Be Clear and Firm

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If a person is intoxicated in your establishment, refuse to serve/sell or continue to serve/sell them alcohol, and state the law and/or your company policy. Make sure that you are firm, fair, and friendly.

- ✓ Keep your temper under control, even if the situation is annoying. Show the customer you won't change your mind.
- ✓ Remove the alcohol out of reach of the customer and offer to call a friend or cab to take them home, depending on your company's policy.
- ✓ Express your concern for their safety and let them know you would like to see them return to your establishment.
- ✓ Do not make judgmental statements such as "you're drunk." Be courteous and firm about your refusal to serve them any more alcoholic beverages and walk away.







## Be Consistent

- ✓ Do not stay and argue and do not bargain or back down once you make the decision to stop service. The intoxicated person does not have normal use of their mental faculties and arguing will escalate the situation.
- ✓ Make sure other servers and management know and will back up your decision to stop service.

# Illness Masquerading as Intoxication

Some illnesses may be mistaken for or have affects that mimic intoxication. Even the common cold can mimic signs of intoxication due to slowing the senses and reaction time, being drowsy and having difficulty concentrating. Diabetics may feel hunger and dizziness, be irritable, weak and tired because their blood sugar levels may be low.

Look for Medic Alert jewelry if you think someone may have a condition that may be mimicking intoxication. A Medic Alert foundation bracelet or emblem indicates a possible life-threatening medical problem. This is an additional reason why you should not accuse a customer of being intoxicated.





# Designated Drivers



A designated driver is a person in a group who chooses not to drink alcohol and provides a safe and sober ride for the group. Some establishments offer safe-ride programs. Check with your manager for your company's policy.

Having a designated driver for a group does not mean the group may legally become intoxicated. Public intoxication is still illegal even if you do not drive. Serving patrons to the point of intoxication is still illegal even if they have a designated driver. Ask your manager about your company's policy on designated drivers.

If the customer refuses a cab or refuses to allow a friend to pick them up, you have no choice but to call law enforcement. You have a responsibility to inform law enforcement when someone is intoxicated and refuses help to get home safely. An incident log can be helpful to write down information about the incident for future reference. Check with your manager about specific policies for notifying law enforcement and incident logs.





## Discussion Questions



## On-Premise



**How would you use the tips for saying “No” in each of the following situations?**

1. Pretend you are working in a restaurant. A large man in his 40s comes in, and along with his meal he orders wine to drink. He drinks four glasses of wine while eating his dinner, over a one-hour time period. Between courses of the meal, he visits the rest room and you observe that he is walking straight and steady. After he has finished his meal and wine, he asks to order an after-dinner liqueur. He speaks clearly, without a slur, and he appears alert and clear headed.
  - a. What signs of intoxication are present?
  - b. What else might you do or say before deciding if the customer is intoxicated?



## On-Premise



2. A woman in her 50s walks into your bar. On the way in, she stumbles, and weaves slightly as she walks to a table. She sits down heavily and loudly shouts out her drink order to you. She tries to light a cigarette but fumbles with her lighter. Again, she shouts to you to bring her a drink.

- a. What signs of intoxication are present?
- b. What else might you do or say before deciding if the customer is intoxicated?



# Off-Premise



3. A woman approaches the register where you work with a six-pack of beer. You greet her, and she mumbles a reply. She does not make eye contact with you, but you notice that she is having trouble opening her purse to get her money. You ask if there is anything else that she needs, and she slurs her reply. When she looks at you, you notice that her face is flushed and her makeup is very messy.
  - a. What signs of intoxication are present?
  - b. What else might you do or say before deciding if the customer is intoxicated?
4. A couple is shopping in your store and as they wander around the aisles, you notice that they are laughing and talking loudly. They bring their purchases to the counter, including several bottles of liquor. They are talking clearly and other than laughing loudly are showing no other signs of intoxication. What other things can you do to help decide if you should make the sale?





# Module Summary

You should now be able to:

- ✓ Describe how seller-servers are responsible for the acts of their customers (Dram Shop Act).
- ✓ Given a scenario, state if a sale of alcohol is legal or illegal with regards to an intoxicated person
- ✓ Define blood alcohol concentration (BAC) and list factors that affect BAC in individuals.
- ✓ Use observations to detect if a person is intoxicated.
- ✓ Given a scenario, select appropriate intervention techniques for preventing sales to intoxicated persons



# TOPICS IN THIS MODULE



## ✓ **KEY #1 – Know the Law**

- *Intoxication Laws*
- *Dram Shop Act*
- *Driving and Alcohol*

## ✓ **KEY #2 – Use Observations to Know Your Customers**

- *Signs of Intoxication*
- *Other methods of determining intoxication*

## ✓ **KEY #3 – Know When and How to Say “No”**