

City of Roseville Manager and Server Training (MST) Approved Training Program

How to provide Manager and Server Training

The Roseville Police Department has worked with City alcoholic beverage licensees to promote training for both servers and managers to prevent sales of alcohol to underage persons, and to prevent other violations of the Liquor Control Ordinance. All licensees and their managers, and all employees or agents employed by the licensee that sell or serve alcohol, must complete a city approved or provided liquor licensee training program.

The required training shall be completed:

1. Prior to licensure or renewal for licensees and managers, or
2. Prior to serving or selling for any employee or agent, and
3. Every year thereafter.

Your business must maintain documentation that you have properly trained every employee that sells or serves alcohol, and produce such documentation upon reasonable request made by a peace officer, health officer or properly designated officer or employee of the city.

The City will not maintain these records for you. Additional penalties may be assessed if you are unable to provide documentation or it is determined the employee did not undergo the required training.

Manager and Server Training can be provided by a professional trainer (a list of some trainers is at the end of this program) or through the establishment's own training program.

The program must include a sign-off sheet for signifying training and understanding by all managers and sellers/servers of alcoholic beverages. The training and sign-off must occur prior to the employee's first selling/serving opportunity. Sign off sheets for applicable new hires after that period must be kept on file.

An establishment may choose to use the following approved training program as an alternative to the above mentioned options. The Police Department has provided this training material but does not give the training. Review of this program and completion of the Certification page by all establishment Managers, Servers and Sellers will fulfill the requirements of the ordinance.

Why Have Training?

We believe Manager and Server Training is the only responsible option regarding sale of alcoholic beverages and that beverage sales businesses want their employees to follow legal guidelines.

It is legally required by Roseville Ordinance.

ROSEVILLE POLICE APPROVED MANAGER AND SERVER TRAINING PROGRAM

Training is a responsibility of all in the alcohol beverage industry.

According to the American Medical Association:

- Alcohol is the most frequently used drug by high school seniors.
- Approximately 88% of 10th graders and 75% of 8th graders report it is very easy to get alcohol.
- Almost two thirds (or 6.9 million) of junior and high school students who consume alcohol purchase their own beverages.
- Underage drinking is a factor in nearly half of all teen automobile crashes, the leading cause of death among teenagers.
- Alcohol abuse is linked to as many as two thirds of all sexual assaults and date rapes of teens and college students.

Other studied regarding alcohol report:

- Alcohol abuse by a parent or guardian is involved in 7 out of 10 cases of child abuse and neglect.
- At least 11 million of the nation's children live in households with an alcoholic parent.
- A Harvard study found light and moderate drinkers cause 60 percent of alcohol related incidents of absenteeism, tardiness and poor quality of work, while dependent drinkers cause 40 percent.
- In 2010, 31% of fatal traffic accidents in the United States were alcohol related.

Alcohol plays a large part of American entertainment and relaxation activities. It is also very easy to abuse. It is a responsibility, moral and legal, of the alcohol beverage industry to limit abuse as they are able. Not selling to underage customers and not serving to intoxicated patrons can be controlled.

State Statute 340A:

- It is a **gross misdemeanor** for any person to sell, furnish or give alcoholic beverages to a person under 21. The seller may receive up to a \$3,000.00 fine and one year in jail or both and a criminal record.
- It is a **misdemeanor** for any person under the age of 21 to purchase or attempt to purchase or procure any alcoholic beverage. The purchaser may receive up to a \$700.00 fine and 90 days in jail or both and a criminal record.

- No person may sell, give furnish or in any way procure for another, an alcoholic beverage for the use of an obviously intoxicated person. To do so is a **gross misdemeanor**.
- Every licensee is responsible for the conduct in the licensed establishment and any sale of alcoholic beverages by any employee authorized to sell alcoholic beverages in the establishment is the act of the licensee for the purpose of all provisions except 340A.701, 340A.702, and 340A.703 (those three relate to other unlawful acts and penalties).

Roseville Ordinance 102 and 302:

- A license holder may be fined up to \$2,000.00 and have their license suspended or revoked for violation of the ordinance.
- On-sale sellers (bartenders/managers/wait staff) will be fined \$250.00 for illegal sale of an alcoholic beverage.
- Off-sale sellers (clerks/owners/managers) will be fined \$150.00 for illegal sale of an alcoholic beverage.

Civil Liability

- If someone is injured as a result of service to an intoxicated or underage customer, the injured party or parties may sue the outlet, the licensee and the server to recover damages.

The alcohol industry is heavily regulated. A violation can have severe consequences that may take years and substantial sums of money to overcome.

How To Check For Proper Identification.

SERVERS/SELLERS

Minnesota Statute 340A.503 Subd.6. Proof of Age: Defense.9a Proof of age for purchasing or consuming alcoholic beverages may be established only by one of the following: 1) a valid driver's license or identification card issued by Minnesota, another state or province of Canada, and including the photograph and date of birth of the licensed person; or 2) a valid military identification card issued by the United States Department of Defense; 3) in the case of a foreign national, from a nation other than Canada, by a valid passport; or 4) a valid passport issued by the United States.

It is the policy of this establishment to "card" everyone who looks under _____ years old. ****Fill in the blank with the age your establishment uses as a threshold for checking identification.****

Follow the same procedure when checking each identification, have a routine; don't be distracted by conversation with the customer.

Always hold the ID in your hand and feel for any unusual raised surfaces.

Look at the ID for glue lines, jagged edges, tape, peel backs, discoloration or other deformities

CHECK THE BIRTH DATE AND DO THE MATH.

Minnesota licenses and ID cards for persons under 21 state the 21st birth date on the front of the card. Too many servers miss this obvious help. The photo on the Minnesota driver's license and Identification cards for those under 21 is **framed** on the card. Check the photo for resemblance with the attempted buyer. Compare the hairline, eyebrows and chin. The very top of the Minnesota driver's license and Identification cards, in the shaded area will state that the holder is under 21. This sounds and is, simple, yet many sellers/servers do not LOOK at the driver's license or identification card. Don't be lazy – when you ask for Identification – look at it as if it may save you a fine and/or criminal record. Are they giving you someone else's ID?

Check the back of the ID – Minnesota and many states repeat DOB and other information on the back of cards. Does the information match up?

Check the ID of all people at the counter or table if someone looks of questionable age. For example, if a 21 year old buys a pitcher of beer, check the ID of everyone at the table who appears younger than 30.

Think of how you would answer an attorney's questions in a civil lawsuit asking why you didn't properly verify legal age and served alcohol to someone under 21, in violation of state law.

Do these things routinely. It is part of your job. If the customer makes a fuss – tell them any or all of the following: it is management policy; part of your required duties; recommended by the Roseville Police Department; you could face criminal penalties selling to someone under 21 years old; this is a very common policy of area establishments selling alcoholic beverages. If they still complain, call the manager.

Keep in mind which is easier; checking every ID, going to court or paying a fine? If it is busy, it is busy. Is it more likely underage buyers will try to buy when it is busy and crowded or when they are the only ones in the store. Excuses are for someone who has made a mistake.

What To Do Once A False ID Has Been Identified.

A new state statute specifically allows liquor and tobacco retailers to seize identification cards the owner believes is altered or being illegally used. If seized, the storeowner must deliver (call Roseville Police) the ID to a law enforcement agency within 24 hours of seizure. (340A.503 Subd. 6, 609.685 Subd. 6). Do not get into a fight over taking the ID.

Call the Manager and have the police called. It is a violation of state law to try to purchase alcohol by someone under 21 or to give alcohol to someone under 21.

The person(s) will likely try to leave – do not place yourself or others in jeopardy if they resist - let them leave. Get a description of their vehicle and license number and give it to the police.

If underage purchasers learn your establishment will call the police you will decrease the likelihood of repeat visits by underage purchasers and decrease the likelihood of future problems.

MANAGERS

You are responsible for all the above.

Employees must clearly understand written company policy regarding legal service of alcoholic beverages.

You should post current legal age dates by time clocks, cash registers and entry points.

Train your employees in legal sales of alcohol beverages via above mentioned written policies, staff meetings, ongoing supervision, requiring internal reports of attempted purchases and possible creation of a reward and discipline system without involving law enforcement.

Support employees when they call for help with unruly or underage purchasers.

Clarify employment status for servers/sellers who violate company policy and legal requirements relating to proper sales of alcoholic beverages.

Identifying Intoxicated Customers

There are no 100% sure signs of intoxication – only a breathalyzer or chemical tests can determine blood alcohol content.

The following are guides to help determine if someone should be refused service:

Staggering

Slurring of speech

Talking loudly

Looks disoriented

Overly friendly

Drinking more quickly

Lack of coordination and concentration

Get another opinion – final decision should be the manager.

Be polite but firm. Think of the trouble you could be in if that person gets injured or injures someone else.

Ask your manager to provide phrases you can use to refuse sale or continued sale to an apparent intoxicated customer. Tell others at your establishment so they do not serve someone who has been "cut off."

Management should have options available for on-sale customers who have had too much to drink to care for their personal safety: offer a snack, pop or coffee. They won't make an intoxicated person sober but will give time for more or other options. Don't let the customer get to that point. If a lawsuit arises, we are in an increasingly litigious society, from a customer's intoxication you and the establishment will likely have to defend your actions/decisions. Staff at the end of their shifts shall notify oncoming staff about intoxication status of their customers to help prevent customers from becoming intoxicated. If they become abusive, disorderly or threatening call 911.

Offer to call a cab or see that a responsible friend/member of the party drives the person home. Have them leave their vehicle in your lot. If you believe a customer is intoxicated or unable to safely drive and they try to drive away, call the police immediately.

Proper and legal serving/selling of alcoholic beverages is your responsibility. There are many ways to help you follow the letter and intent of the law. These have been just a few methods. Talk to your manager or owner or fellow managers for support and other ideas.

Do not forget it is your responsibility to legally sell and serve alcoholic beverages.

After you have reviewed and discussed this training program you must sign the attached certification. This must be done before you sell/serve alcohol or manage an establishment licensed to sell alcoholic beverages.

Manager/Server Training Certifications of all employees and managers selling or serving alcoholic beverages must be maintained by the business.

Trainers in Minnesota

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| *TIPS | 1-800-438-8477
www.gettips.com |
| *Minnesota Licensed Beverage Association | 651-772-0910
www.mlba.com |
| *Alcohol Risk Management (ARM)
University of Minnesota
School of Public Health | 612-626-7435 |
| *National Restaurant Association
Educational Foundation | 800-765-2122
www.nraef.org |
| *Sure Sell Now – online training | www.suresellnow.com |

Some of the material used in this program has been taken from the Lido Restaurant Training program, the American Medical Association and the University of Minnesota School of Health, Department of Epidemiology.

RESPONSIBLE MANAGER/SERVER TRAINING CERTIFICATION

Establishment & Address

I acknowledge that I have been taught and understand the attached training material on responsible alcohol beverage serving and I have been given the opportunity to ask questions about any portion I do not understand. I have been given a copy of the training material to keep and review. I acknowledge, as a condition of employment, that I am responsible for compliance with the attached training material and I will manage my behavior to attain zero errors in performance.

Signature

Date

Printed name

Date of Hire

Manager's Signature

Date of Training

Manager's Printed Name