# UMSAFE (UM Student Alcohol Function Education)

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# INTRODUCTION

In recent years, administrators of universities, student leaders, and students have become increasingly concerned about the use and misuse of alcohol on campus. While progress has been made, alcohol-related incidents remain the largest single threat to the post-secondary student community.

Alcohol use has long been an accepted part of post-secondary social activities. For many years, pubs, socials, and parties have been a central component of campus life. These social gatherings are both normal and desirable. They are a source of relaxation, pleasure, and interaction amongst students on campus.

However, alcohol has also been a source of social and physical destruction. Excessive drinking has contributed to student deaths and injuries at many Canadian campuses. These mishaps involve not only driving accidents but also falls, deaths by drowning, assaults, and alcohol overdoses

The University has an obligation to manage alcohol use on campus in a way that is consistent with the terms of its license and other applicable legislation, and that protects the University from liability with respect to alcohol-related incidents.

The University of Manitoba in conjunction with the Liquor, Gaming, and Cannabis Authority of Manitoba (LGCA) has incorporated the *Campus Alcohol Policy* into the <u>UMSAFE Program</u> (University of Manitoba Student Alcohol Function Education). This program offers education to students in alcohol awareness and serving practices.

### MTEC: "Smart Choices"

Anyone with a valid <u>It's Good Business</u>, <u>Serving It Safe</u>, OR <u>Smart Choices</u> card does not have to actually attend an UMSAFE course but they must be UMSAFE certified to serve alcohol on campus. Obtain a copy of the Campus Alcohol Policy and Campus Alcohol Procedures and an UMSAFE Manual from Conference & Catering Services, complete the open-book exam at the back of the manual and return the exam to us within 48 hours. We will mark your exam (pass is 70%) and have your UMSAFE card ready for pickup within a few days.

# **PROGRAM GOAL**

The *goal* of UMSAFE is to provide servers and sellers of alcohol with an effective format in which to promote safe and responsible consumption of alcohol beverages on The University of Manitoba campus.

# THE CHANGING CLIMATE

Ask experienced people in the industry if the business of selling alcohol has changed in the past few years and the answer is a resounding, yes! You see it in the decreased attendance at socials and in the volume of alcohol sold. You hear it in patrons' comments as they talk about health issues and impaired driving. Many people, young and old, have chosen to become non-drinkers. The responsibility for over drinking and the attendant results has shifted from the customer, to the organization serving the alcohol. Times have changed; those serving alcohol must adapt to and take an active part in the changes.

# **Section I: Legal Issues**



# The Rise of Civil Liability for the Conduct of the Intoxicated & The Expansion of the Duty to Control the Conduct of Others

Traditionally, the law did not require one individual to control the conduct of another. Since providers and occupiers had no obligation to protect the intoxicated, they could not be held liable for the injuries that these individuals caused or suffered.

While the courts pay lip service to the principle that you are not your brother's keeper, they have greatly increased the number and kinds of situations in which one person will be held accountable for the conduct of another.

#### **Rising Damage Awards**

Given the intoxicating effects of alcohol, the annual toll of alcohol-related deaths and injuries, and the provincial prohibitions against selling alcohol to the intoxicated, it was inevitable that the duty to control would be extended to alcohol providers and occupiers.

In 1978, the Canadian Supreme Court fundamentally altered the assessment of damages, leading to sharp increases in damage awards. For example, a young person rendered paraplegic or quadriplegic might have been awarded \$100,000.00 to \$200,000.00 in the 1960s, whereas the award would now probably be ten times that amount. Since such awards almost always exceed the intoxicated patron's insurance and assets, the plaintiff must sue the provider or occupier in an effort to recover the full claim.

#### Consider this.....

So you think that liquor liability applies only to commercial sellers of alcohol? You are wrong; it can apply to you and your private party. Claims and lawsuits have been brought against service clubs, municipalities, universities and private social hosts - in amounts exceeding one million dollars. You may be held liable if:

- You provided the alcohol Providers Liability.
   Example: A social permittee would be the provider.
- 2. You were in care/control of the place where alcohol was provided/consumed *Occupiers Liability*. **Example**: This would be Conference & Catering Services when socials are held in University Centre and UMES/Faculty of Engineering when Engineering students hold alcohol functions in their Student Lounge.

### **Providers Liability**

- Did you supply the alcohol?
- Did you serve the alcohol?
- Is a required liquor permit/license under your control?

If any one of the above applies, you may have a Duty of Care and could be liable for damages.

#### **Occupiers Liability**

- Is the place/premise where the alcohol is provided or consumed under your care or control?
- Did you have the power to admit or exclude others onto the property?

If any one of the above applies, you may have a Duty of Care and could be held liable for damages caused by the condition of the premises, the conduct of the people who entered or the activities permitted or allowed.

#### **Duty of Care**

#### Provider(s) and Occupier(s) Liability may lead to a Duty of Care:

- 1. To exercise **reasonable** care to ensure that a person is not served alcohol, such that they become a danger to themselves or others.
- 2. To take **reasonable** steps to protect a person who has become intoxicated and ensure that they do not harm themselves or others.

#### **Breach of Duty**

#### Ask yourself:

- Did I know or should I have known that a person was intoxicated or becoming intoxicated?
- What steps did I take to prevent a person from increasing or maintaining their level of intoxication?
- What steps did I take to protect a person once they were or apparently were intoxicated?

#### **Damages**

If a Duty of Care exists and you breach that duty, you could be held liable for damages. Claims for damages may arise at the place of service or away from it, i.e.: on the drive home. Claims may arise from the person intoxicated and from those the intoxicated encounters. For example, an intoxicated driver involved in an accident may lead to a claim for damages - from the intoxicated driver, his passengers or from some innocent third persons not involved with the original party or social event.

# **Dauphin Party Hosts Blamed in Teens Death**

This is a headline regarding the death of a 15-year-old from Dauphin, MB in 2009.

This 15-year-old was among 20 young people who went to an 18th birthday party at the Kostur family home in Dauphin. Sixteen people at the party were under the age of 18 at the time. The parents in the home were fully aware of the party; they had even purchased a case of beer for the party. Guests also brought beer, liqueurs and coolers.

Ms. Aller had received a ride home from the father that night but had gotten out at the corner of her block and said she'd walk home from there. The temperatures were frigid that evening and Ms. Aller never made it home. She was found frozen dead in a parking lot early the next morning. Toxicology reports stated that Ms. Aller had a BAC of 1.59 that night.

According to the court judgment document, the parents pled guilty to "permitting drunkenness" in their home; the father was fined \$4000 and the mother was fined \$500.

The Crown Prosecutor of the case was quoted as saying "People will be held accountable if they break the laws- particularly when there's injury or, in this tragic case, death caused."

The fines issued in this case may seem nominal – but consider the lifetime of guilt the parents have, knowing they contributed to the death of one of their child's friends. Think of the impact to the community.

#### **Summary**

By now, you should have noticed that the law and the courts hold you responsible for the results of serving to intoxication, yet fail to define the term. This development places the onus on administration and management to determine what intoxication is before asking servers to undertake to prevent it. While it may be tempting to believe that the odds are in your favour or that lawsuits will only be lodged against other people, all servers, managers and licensees are at higher risk in these changing times. In addition, the rising insurance rates will affect everyone involved in the service of alcohol.

#### Accept for the moment that intoxication can be both defined and prevented.

The following principles substantially reduce the risk of breaking the law and being found liable:

- Intoxicated patrons are not served alcohol.
- Patrons are not served to intoxication.
- Underage patrons are not served alcohol.
- Staff has been trained to watch for and be able to recognize intoxication.
- Patrons are stopped from engaging in activities predictably harmful to themselves or others.
- Reasonable steps are taken to reduce and contain the risk of legal liability.

# **Section II: Underage Drinkers**

# Proof of Age

The onus is on you to detect minors. If a person appears to be a minor, you should demand a <u>valid</u> government-issued photo-identification card as proof of age. If you are not satisfied with the identification, you have the right to refuse entry or liquor service. **Provincial regulations state: MUST PROVIDE** 

# VALID GOVERNMENT-ISSUED PHOTO ID.

Beware of false or borrowed identification.

### When checking identification, look for:

- photograph
- birth date
- altered or disfigured card
- signature
- whether the card is a government-issued card

#### Acceptable forms of photo-identification are:

- Valid Manitoba photo driver's licence (1 piece)
- Armed forces identification card (2 pieces)
- Canadian Citizenship card (2 pieces)
- Valid Passport (1 piece)
- A Secure Certificate of Indian Status issued by the Government of Canada (1 piece)
- Valid photo driver's licence issued by another province or state (2 pieces)
- Valid Canadian Firearms Certificate (2 pieces)
- Permanent Residency Card (2 pieces)

\*\*NOTE: Two valid pieces government issued identification is acceptable, with at least one piece of identification containing a photograph of the person.



## **Common Questions**

# 1. Is it satisfactory to accept only one piece of identification if person does not have 2 piece government issued identification?

Yes, provided the identification is a valid, government-issued, and the photo and information on the identification card are consistent with the physical appearance of the person producing it. It would be a good idea to establish a house policy for checking identification and post it at the entrance.

### 2. Can I be charged for selling or serving liquor to a minor?

**Yes.** This is an offence under *The Liquor & Gaming Control Act*. The server and permittee may each be charged and face a minimum fine of \$2,000 up to a maximum of \$20,000 and or 6 months in jail. In addition to being charged by the police, the licensee may also be subject to disciplinary action by the LGCA Board, which could result in a suspension of licence.

### 3. May I seize false ID?

**In general, no.** However, if you are presented with an obviously altered Photo ID, it can be seized and forwarded to Conference & Catering Services who will return it to the Manitoba LGCA. They will investigate its origin and owner.

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# **Section III: Alcohol Information**

#### **Alcohol Facts and Effects**

For centuries, alcohol has attracted people. Alcohol helps people to relax. It eases social tensions and helps to change moods and experiences. You may serve alcohol, but it is a substance that many do not understand very well. This section deals with information on what happens when alcohol and the human body come together.

- Alcohol is a drug that slows down the central nervous system, acting as a **depressant**.
- Drinks that contain the same amount of alcohol will have the same effect on the drinker.
- Alcohol acts on the brain to alter a person's mental and physical condition.
- Blood Alcohol Concentration or **BAC** is a measurement of alcohol in the bloodstream.
- Many factors control BAC. The two most important factors are how fast and how much alcohol is consumed.
- Intoxication can occur well before major signs show. Being alert to small changes in behavior can help the server prevent obvious intoxication.



12 ounces Beer x 5% alcohol vol. = 0.6 oz. alcohol



1½ ounces Highball/Cocktail x 40% alcohol vol. = 0.6 oz. alcohol



5 ounces Wine x 12% alcohol vol. = 0.6 oz. alcohol

A drink is a drink is a drink. All contain approximately 0.6 ounce of alcohol and will have an equal effect on the body.

### More About Alcohol......

Alcohol comes in three basic forms: beer, wine, and distilled spirits or "hard liquor". It is rapidly absorbed into the blood stream through the walls of the stomach and small intestine, without being digested first. Once in the blood, alcohol spreads throughout the body reaching the brain almost immediately.

The liver is the organ that breaks down or metabolizes alcohol. The liver works slowly and at a constant rate. There are slight differences from one person to the next, but it takes most people about **one hour and twenty minutes to break down a <u>standard</u>\* drink.** (Standard drink\* = 1.5 oz. liquor **OR** 12 oz. beer **OR** 5 oz. wine.) In Manitoba, it is policy to serve liquor in a 1oz. serving rather than the standard\* 1.5 oz. measure.

# a rule of thumb@ to remember is: 1oz - 1 hour

# alcohol is absorbed most quickly in this order: 1. straight alcohol

2. alcohol diluted by carbonated mixers

3. alcohol diluted with water or juice

## **Factors Influencing Blood Alcohol Concentration (BAC)**

## The two most important factors are:

- 1. <u>How fast alcohol is consumed</u> Sipping one drink over an hour or more will not suddenly jolt the brain. On the other hand, gulping drinks will produce rapid intoxicating effects. Slowing the intake of alcohol allows the body more time to remove alcohol from the blood. The rising BAC will slow down.
- 2. The number of drinks Each drink adds more alcohol to the body.

#### Other factors:

- 3. <u>Weight:</u> A heavy person of normal build has more blood and water than a light person of similar build. One drink dissolved in a large amount of water will have a lower concentration than one drink dissolved in a smaller amount of water.
- After the same number of drinks, a smaller person reaches a higher BAC than a larger person.
- Judge by the lean body mass of the person in question. Weight due to excess fat does not increase the body's ability to absorb alcohol. Muscle tissue will absorb alcohol; fat does not.
- 4. <u>Male or Female:</u> Women will have a higher BAC than men when drinking equal amounts of alcohol. Due to the nature of their physiology, women generally have more body fat and less water than men of the same weight. In addition, women appear to have much less of the enzyme present in male bodies that metabolizes (breaks down & eliminates) alcohol.

5. <u>Food consumed</u>: High protein, non-salty food in the stomach **before** drinking will slow down the rate at which alcohol is absorbed into the bloodstream. However, the impact on intoxication is relatively minor. To be effective in reducing BAC, eating food should **replace** drinking alcohol.

## **Individual response factors:**

- 1. <u>Mood</u> affects the way a person responds to alcohol in the system. Feelings of nervousness, depression or fatigue are usually intensified by alcohol.
- 2. <u>Other drugs</u> interact with alcohol to increase the level of impairment. These include antihistamines, some prescription drugs, marijuana and cocaine.
- 3. <u>Tolerance or experience</u> with alcohol is the ability to mask the symptoms of intoxication. The BAC however, is determined by the amount of alcohol in the body and is not affected by experience or acting skills.

## Intoxication

Serving alcohol to intoxicated people is prohibited by law. The onus is on you to ensure patrons are not served to the point of intoxication.

When intoxicated, some patrons become loud and boisterous; some get angry and want to fight; and others merely fall asleep. In many cases patrons become happy with excessive laughter.

Signs of severe intoxication include staggering, falling down, slurring of speech, watering of eyes, and loss of coordination. Intoxicated patrons are usually annoying to other patrons.

If you have to ask yourself whether an individual is intoxicated, it is usually a sign that the person <u>is</u> intoxicated.

# **Identifying Potential Alcohol Problems**

Whenever you work with people, it helps to have good communication skills. As we look at how servers can prevent over-drinking, we need to examine how everything relies on basics such as listening to people, drawing out information, and watching behavior and "body language".

# Communications skills for assessing and monitoring alcohol consumption include:

- 1. **Assessing Customers:** It is important to learn how to read a customer to discover their mood, condition, and intention for the evening. This allows the server to:
  - a) set the pace and tone of service to avoid potential problems
  - b) make note of customers who are depressed, aggressive, or apparently intent on getting drunk

- **2. Listening:** Granted there are many situations where listening and chatting to customers is difficult. In places where there is loud music, many people talking at once, or where people do not want to talk are examples. In situations where you can hear and interact with the customer:
  - a) make eye contact, listen closely and intently
  - b) show you are interested in what they are saying; smile and speak in a friendly tone of voice
- 3. Observing Behavior and Noting Body Language: In many situations, such as loud music, observing and reading body language are even more important than listening. Body language is used in all communication. Without a word said, a server can read a customer's frame of mind, or the customer can read that the server is weak and timid.
- **4. Asking Questions to Clarify:** In some situations servers have a chance to make small talk with customers. This is an opportunity to pick up information and to clarify things heard. For example, a customer may mention another place he/she has come from. Asking about this may bring to light that the customer has already been drinking.

#### BEHAVIOURAL SIGNS

Behavioral signals show a person is being affected by alcohol and will appear progressively in four areas

- **Inhibitions** -- sense of self control is relaxed, more talkative and friendly, may be louder than usual, and exhibit mood changes
- **Judgement** -- inappropriate behavior, ordering doubles, drinking fast, complaining about the strength of drinks, angry outbursts, swearing, or making stupid comments
- **Reactions** -- talking and moving very slowly, forgetting what they ordered, walking away without their drink, and loss of train of thought
- **Coordination**-- swaying, spilling drinks, stumbling, having trouble picking up a drink, difficulty opening a door

# **Common Questions**

## 1. Can liquor service be refused?

**Yes.** The Liquor & Gaming Control Act gives the licensee and employees the authority to refuse service. In fact if you do not refuse liquor service to a patron who is intoxicated, you are committing an offence.

# 2. Can an intoxicated patron be allowed to remain in the permited area and be provided with coffee and something to eat?

Yes. Under the rules governing the use of an Social Occasion Permit, an intoxicated person may remain in the permited area, as long as they are not in possession of alcohol. You may wish to make arrangements to ensure this person is safely transported to a residence or turned over to a responsible person such as a taxi cab driver or relative.

Serving alcohol to an intoxicated person can constitute a charge under *The Liquor & Gaming Control Act* and carries a fine in excess of \$2500.00 (includes court costs). This charge and fine are levied directly on the server of the alcohol – not the premise or the manager of the premise.

### 3. Who is responsible for deciding when someone is intoxicated?

The person who is providing the liquor service is responsible. The onus is also on the manager and the licensee to ensure that no employee serves an intoxicated person.

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# Section IV: Serving Alcohol Safely

# Using the *Traffic Light System* for Service:

Counting drinks while keeping track of times for every customer is often impractical. A system based on your assessment of patrons and your observations of what they order can be used to guide your service. This system uses colors of traffic lights.

**Green:** Guest is in a good

Guest is in a good mood; not impaired; has had little or no alcohol; is not out to get drunk; is two or more drinks below capacity.

Go! It is acceptable to serve this guest.

**Yellow:** Guest is drinking quickly, but not yet intoxicated; is

in a "down" mood; out to celebrate and drink heavily; is one drink below his/her capacity; may

exhibit some signs of impairment.

<u>Caution!</u> The guest is not yet intoxicated, but you should be alert.

**Red:** Guest is likely showing several early signs of

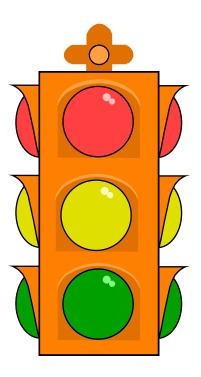
intoxication; may be in an odd, depressed, aggressive,

or bad mood; is drinking fast; seems intent on getting drunk; has reached or exceeded capacity.

Stop! The guest appears intoxicated and should not be served alcohol. Offer food or other alcohol-free alternatives.

Good rating means constantly assessing the guest and careful observation of changes in behavior.

Remember that your goal is to keep your customers in the green zone.



# **Preventing Over-Service**

A major challenge for a server is to provide a good time and good service, without over-serving to the point of intoxication. While the atmosphere or environment of the function has some effect in this regard, the server has the main responsibility.

Prevention of over-service calls for application of skills in estimating a patron's consumption and handling a slow down or refusal of service assertively. It is essential that <u>alcohol-free beverages be available at all</u> <u>times</u> for non-drinkers at the event, as well as being an alternative to offer patrons becoming intoxicated.

## Elements of preventing over-service include:

- assessing customer condition and adjusting service
- being alert and gathering information to guide the service
- rating customers as they come into your service and throughout their stay
- working as a team to keep fellow servers informed of what is going on with all customers

## **Working As a Team**

Relating information about the customer's drinking situation to other staff is important whenever a customer is near or at visible intoxication.

- a.) It ensures that backup staff are available if needed. Other staff will know the situation coming in.
- b.) When everyone is working together, someone may notice a development others have missed.
- c.) Staff members learn about a developing situation with a customer, before it becomes a problem.

#### Server Role:

- seek out other staff members to make a report (the actual person, or persons are specified by policy or the management of the function)
- report customer's condition
- observe customers reported by other staff
- be ready to act as needed

## Manager/Licensee Role:

- to make sure that a policy for reporting is in place and that all staff members know the policy
- to listen to and support the staff in their efforts to do their jobs responsibly

Working as a team is also important during shift changes, or when someone goes on a break. Team-work is especially critical when there is a free bar function, where more than one server is serving a group, or where the patrons may be moving around.

#### THE UNIVERSITY OF MANITOBA CAMPUS ALCOHOL POLICY

The information below is by no means the complete Campus Alcohol Policy (240). The entire policy is available on The University of Manitoba web site or from Conference & Catering Services at 230 University Centre. Each UMSAFE participant and every student council/group hosting alcohol functions on campus is responsible for being familiar with the information it contains and for adhering to the rules and regulations therein.

- 1. Alcohol-free beverages must be available at all alcohol events.
- 2. No more than 4 drink (alcohol) tickets will be sold to any person at one time.

  This limit on drink tickets will help in preventing intoxication if the drinks are consumed over the length of a standard social evening. Unused drink tickets are refundable until ticket sales close at 1:00 a.m.
- No more than 2 drinks (alcohol) will be served to any person at one time.
  Defined as two 1 ½ ounce (maximum) servings of liquor OR two bottles (12 oz) servings of beer OR two 5oz. glasses of wine.
- 4. Beverage alcohol drinking contests of any kind are illegal and will not be allowed at any campus events.
- 5. Where liquor/beer/wine are being sold, the minimum selling price per drink cannot be <u>less</u> than the rate as set by the LGCA. As of April 1, 2001 that price is \$2.25 (taxes included).
- 6. Complimentary (free) drinks or the signing out of free drink tickets by organizers is no longer permitted under sale social occasion permits; this would contravene the LGCA minimum pricing regulation.
- 7. The use of *Beer* or *Bash* in relation to any alcohol event (or indeed any reference to alcohol) is prohibited according to the Campus Alcohol Policy & Procedures (2.9.2).
- Note 1: Announcing "last call" for the bar is <u>not allowed</u> at campus events. It encourages people to quickly consume additional alcohol, immediately prior to driving home.
- Note 2: Many social venues on campus observe the practice of having music/dancing go on for one hour after the bars close at 1:00 a.m. This is an economical way to provide your guests with an extra zone of safety.

# **Refusing Service**

Keep in mind that as servers you are trying to get the patron to stop drinking and accept a safe ride home. Your attitude and approach is very important. Do not try to out-argue, put down the patron, or cause more negative feelings. **Some suggestions are:** 

- 1. Alert a backup. You may need help at the time and you may need a witness later. If you are losing control of the situation, call the manager or person in charge of the function.
- 2. Talk privately and directly to the customer, using his/her name if known, when you have to refuse further service.
- 3. Be non-judgmental. Be courteous. Don't appear to be scolding, blaming, or threatening the person. Don't use words like "drunk" or "had too many". Express concern for their safety, minimize the problem, and offer alternatives. Try to get them to think about something else, i.e. having some food, dancing, or trying the non-alcoholic punch or soft drinks.
- 4. Use the first person "I". It shows that you are taking responsibility for your statements. Example: "I'm sorry; I can't serve you another drink."
- 5. Express regret; cite a higher authority when cutting off a patron. "I'm sorry, I'll lose my job", or, "I'm sorry, it is against the law/University policy for me to serve you another drink."
- 6. Don't bargain, or be drawn into an argument with someone whom you are cutting off. Use closed statements such as, "I'm sorry but there is nothing more I can do."
- 7. Responsibilities for dealing with each part of the problem should be clear and understood by all the staff.

For example:

- the server will handle the situation until he/she feels it is getting out of control.
- the manager of the function is called and will decide to call UM Security Services or not.
- if the patron is allowed to remain, all staff will be alerted and be responsible to make sure no more alcohol is served.
- 8. Get help from a friend of the intoxicated customer. Advice from a friend is often accepted.

**Remember:** An important part of the UMSAFE Program is the concept that **how** you say something is as important as **what** you say.

# **Section V: Security Concerns and Enforcement**

# **Requesting Assistance**

- Presented by UM Security Services

Occasionally your prevention strategy will break down. The function management must provide a level of safety and protection to the patrons and staff. It may be necessary to move an intoxicated person to another location. The best location of course, is his or her home.

There must be a clear policy with procedures in place for the removal of intoxicated or problem patrons. It is imperative that problem patrons are **requested verbally** to exit the premises before any other action is considered. Should the patron refuse to comply and physical removal is required, contact Security Services. They will advise you about what action should be taken and when an officer will be attending to address the issue. Student function staff should never attempt to remove the individual unless there is an immediate threat, and must inform Security Services of the altered situation before taking any further action.

<u>Note:</u> It is essential that you are clear and detailed when providing information to the officer you are speaking to on the phone. Security Services can only prioritize calls effectively if they have sufficient information. Be prepared to provide the 5 w's (who, what when, where & why) and a detailed description of the person who is causing or being the problem.

### **Procedures:**

If someone appears to be a potential problem, contact Security Services (Station Duty Officer) and request that an officer attends to discuss concerns with security personnel at event. **DO NOT WAIT FOR AN INCIDENT TO OCCUR. Contact Security Services**, 24 hrs./day, 7 days/week at 474-9312, emergency telephone number 555 (on a campus telephone line), or #555 (on MTS or Rogers cellular phones). Indoors on campus, there are free Red Emergency Telephones in all buildings which will put you in direct contact with Security Services. Outdoors, there are many "Code Blue" stations around campus as another means of instantly contacting Security Services.

In the event that Winnipeg Fire Department, Winnipeg Ambulance or Winnipeg Police are required, contact Security Services to advise them in detail of the situation, and request these services. DO NOT CONTACT WINNIPEG EMERGENCY SERVICES YOURSELF. Due to the size and complexity of the University of Manitoba campus, it is an important time saving measure to call Security Services and apprise them of the situation and the need for any of the above emergency services. Security Services is equipped to respond to all calls and to direct and escort these agencies to the designated area.

Security Services should be called immediately if function staff is dealing with a patron who is intoxicated to the point where he/she is a danger to him or herself. They can arrange for detention of that person under the "Intoxicated Persons Detention Act" (arrested and detained for their own safety). If the individual is passed out, unconscious, or coming in and out of consciousness, CALL SECURITY SERVICES. You must ensure that you do everything you can to look after the well being of the patrons at your function. Security

Services will attend and make a final decision about any action that is to take place.

If a patron is causing a significant disturbance and will not cease such behavior on request, they should be asked to leave. If patron refuses to exit the premises, contact the Security Services to dispatch assistance.

UM Security Services rely on staff and students to be their allies and to be pro-active in preventing incidents before they occur. Event staff should keep a close eye on "yellow zone" patrons and make notes in your UMSAFE Function Report regarding their identity and physical description. In the event that the person becomes a "red zone" problem, you have the information already recorded.

UM Security Services, Winnipeg Police, LGCA Inspectors and/or the Winnipeg Fire Department have the final word on the outcome of the incidents or events to which they are attending. At times due to various circumstances, they have shut down functions and have the right to suspend the Social Occasion Permit for that function. Once the permit has been suspended, it cannot be reinstated.

## You Have Rights as Function Staff...

- 1) All staff (from security to serving personnel), have the right and obligation to request proper photo ID for the purposes of identifying minors.
- 2) All staff are entitled to refuse entrance, for valid reasons to any person who:
  - does not have proper photo ID
  - is visibly intoxicated or impaired
  - is displaying disruptive behavior
  - is caught consuming alcohol outside of the function, or trying to bring alcohol into the function

Minors can only be detained if you reasonably believe that they have supplied you with forged documentation (forged Driver's License). Security Services must be notified immediately. As per the criminal code, minors are to be detained until a Peace Officer (Security Services) takes custody of the person(s).

- 3) Security personnel have the right to ask what is inside gym bags, over-large purses or carryalls but may not search for alcohol without the permission (witnessed) of the patron.
  - Do <u>not</u> seize found alcohol at door or outside of function. This would be considered theft. Call University Security Services to assist.
  - Security/management personnel <u>can</u> ask individual to return alcohol (if unopened) to vehicle or residence, and refuse entry to event.
  - If alcohol found <u>inside function</u> but not purchased there, staff will seize and destroy alcohol. Explain to person that he/she could be charged with unlawful possession (LGCA Act, Section 56) if said alcohol is not voluntarily surrendered for destruction.

4) Calm but firm verbal commands - not physical contact, should be used when escorting an individual out of a function. It should be explained that disorderly conduct could lead to a monetary fine in excess of \$100.00 in addition to eviction from the premises. Use common sense and act responsibly. Security Services should be contacted and advised of the situation.

## You Have Responsibilities as Function Staff...

- All staff, from beginning to end of event, should observe and analyze behavior to spot potential trouble before it happens.
- It is important to deal with intoxicated persons immediately and appropriately.
- Disorderly patrons or potential troublemakers must be noted to the function security so that they can be monitored closely. **All** staff should be communicating with each other constantly regarding any potential problems at a function. Security Services should also be notified of the information so they can ensure they have enough officers available, if they are required to respond.
- An <u>UMSAFE Incident Report</u> must be completed on every event, even if all you have to write is "quiet night, no incidents to report".

### PATRON CONDUCT

The permittee, management and staff are responsible to ensure that patrons remain safe and free from unwanted disturbances. Drunkenness and disorderly conduct are not permitted. Disturbances considered objectionable to patrons and that can interfere with the orderly operation of a function, can include fighting, shouting, swearing and obscene language, impeding or molesting other persons.

# **Date Rape Drugs**

There are many types of date rape drugs with various names. They can be in tablet, powder, or liquid forms. They are often colorless, odorless, and tasteless. The purpose of a date rape drug is to reduce resistance. These drugs - while originally used by predators to facilitate date rape - are now being used with a much broader scope. These same drugs are now being referred to as "facilitator drugs" because their physiological effects inhibit your ability to protect yourself in dangerous situations. There have been reports of these drugs being slipped into tourists' food and drink while vacationing at resorts, for the purpose of rendering the victim(s) unconscious and stealing their belongings and/or identity papers.

When ingested, the drugs can take effect in approximately 30 minutes and last anywhere from 2 to 12 hours. When mixed with alcohol or other substances they can cause severe reactions, including death.

Signs and Symptoms of Date Rape Drugs:

Drowsiness	Nausea
Mental confusion	Memory loss
Poor coordination	Blackouts
Reduced reflexes	Coma
Very low blood pressure	Death

Often these symptoms will show up fairly quickly, and it will appear that the person has gotten very intoxicated in an alarmingly short period of time. If you suspect that a date rape drug has been used on someone, please call Security Services immediately to attend. The best defense against date rape drugs is to keep an eye on your beverages and to not accept open beverages from anyone. The LGCA has recently altered their regulations to allow patrons of bars and socials to take beverages into washrooms with them, when feasible. This was done to lessen the opportunities a predator has to slip a substance into someone's drink.

<u>Note</u>: It appears that some North American University Student Unions are promoting the use of drug test strips. No Canadian University sanctions the use of these drug test strips. These strips can only identify a small number of drugs. With new drugs on the market all the time, it is misleading to the patrons and can make you liable if the test strip did not identify a particular drug.

## **Residence/Non Residence Students**

If a patron is consistently troublesome or disruptive and is a University of Manitoba student, that patron may be sanctioned internally according to the University of Manitoba discipline bylaws. UM Security Services will deal with the individual appropriately, at the time of the disturbance.

#### **Additional Offenses:**

- consumption of an alcoholic beverage in a public place. "Public place" is defined as any area outside of the designated function area, including washrooms.
- weapons inside alcohol functions such as knives on belts etc.

Note: The University of Manitoba actively discourages the inclusion of weapons or items that could be used as weapons, as part of <u>Halloween</u> social costumes. Patrons in possession of such accessories will be requested to return them to their residence room, vehicle or home.

- transportation of alcohol unless it is sealed in original container: beer bottles must be in unopened case, liquor bottles must have unbroken government seal
- being intoxicated in a public place

Security Services personnel are available to advise and assist all groups on any safety or security matter concerning their functions. Whenever possible, please make use of this service <u>before</u> problems arise.

## **Common Questions**

### 1. What are the requirements of my position as security at this function?

Monitor **entrance** to ensure that:

- under University of Manitoba regulations minors are not allowed into the area under permit (excepting wedding socials/receptions where they are allowed to attend but <u>may not</u> consume alcohol)
- alcohol is not brought into or taken out of the function
- potentially volatile or intoxicated persons are not allowed into the premises

#### Monitor **function** to:

- identify intoxicated persons
- identify troublemakers or potentially dangerous situations
- assist patrons as required to ensure a safe and enjoyable event for all

## 2. Can a person who causes a disturbance be charged?

**Yes**. *The LGCA Act* states that no person shall be disorderly in a licensed premise or during an Social Occasion Permit function. They must exercise care and control

#### 3. Do we have the right to request a person to leave the premises?

**Yes**. **If you have a valid reason**, *The LGCA Act* gives the licensee, management and staff the right to request the person to leave the premises. If the person refuses, you can call Security Services. They can arrange for that individual to be charged for refusing to leave.

# 4. If we have forbidden a person to enter our premises, and they keep coming back into the function, can they be charged?

**Yes**. *The LGCA Act* gives you the right to forbid a person to enter the premises. In extreme cases, we suggest "a barring order be given to the individual banning him/her from the premises." If this person subsequently re-enters the premises, you can call the Security Services and arrange to have this individual charged.

### 5. What should I do if an <u>intoxicated</u> person insists on entering the function?

Call Security Services. Try to avoid confrontations and do not physically restrain or manhandle the person. Remain calm but firm, and wait for the officer(s) to arrive on the scene. They are trained to handle such situations.

# **Section VI: The Impaired Driver**

# Allowing an intoxicated person to drive away from your establishment is a serious issue.



- You have broken the law by serving alcohol that resulted in the person becoming intoxicated.
- If the intoxicated person should come to injury or cause a third party injury, you and the establishment can be held responsible.
- Some jurisdictions require police to be notified if an intoxicated person leaves the premises.
- Make sure you have a strategy to reduce damages and manage the intoxicated person.
- Use the house policy for safe transport. Do not allow a patron with signs of intoxication to drive.

In many instances it will not be practical to allow patron to remain on the premises while he/she sobers up. Your only option is to get your patron home safely, or hand them over to the police if their condition is extreme.

#### Some suggestions:

- 1. Try to enlist a friend of the patron's to drive the intoxicated person home.
- 2. You may offer to call a relative, or friend of the patron to come and pick them up. Family members are usually grateful for the care and concern expressed by such an action.
- 3. Offer to call a cab if the patron has the money to pay the fare. If your organization is small, you may wish to set up a "cab fare fund" for such situations. Arrange for the safety of the patron's car by notifying Security Services of the description and location.
- 4. Promote the use of a "designated driver" program, whereby one member of the group abstains from alcohol and agrees to drive the others home. The "designated driver" program is used to augment your responsible service program. Over-service to patrons because they have a designated driver is still unacceptable.

Hopefully the patron will accept one of your suggestions. If the patron still insists on driving, as a last resort, the police should be called to intervene.

The likelihood of an accident and resulting lawsuit involving your customer cannot be known. Your best defense is to prevent the intoxicated person from driving.

## If You Drink and Drive in Manitoba...

# .05 Or Refusing A Sample

In Manitoba, driving with a blood alcohol concentration of .05 or over, or refusing to provide a sample will result in an immediate 24-hour license suspension with your vehicle being impounded. Anyone with two or more suspensions in three years, involving driving with a blood alcohol concentration of .05 or higher, will require a mandatory "impaired driver assessment" at their own expense. If the assessment or recommended educational or treatment programs are not completed, the driver's license will be suspended.

# .08 Or Refusing A Sample

Drivers with a blood alcohol concentration over .08 or who refuse to provide a sample will receive an automatic three month-roadside administrative license suspension. This administrative suspension will be in addition to Criminal Code charges related to driving impaired.

Driving drunk is a Criminal Code offence. Criminal charges may include: impaired driving causing bodily harm or death, driving with a blood alcohol concentration over .08; driving or having control of a motor vehicle while impaired by drugs or alcohol; refusing to provide a breath sample to people on request; and driving while disqualified.

# **Manitoba's Designated Driver Program**

In conjunction with The Manitoba Liquor and Gaming Authority, The Addictions Foundation of Manitoba, and other concerned participants, **Manitoba Public Insurance** has created Manitoba's Designated Driver Program. This program was implemented to help reduce the incidence of impaired driving, thereby decreasing injury and property damage. And, most importantly, this program is designed to **SAVE LIVES.** 

As part of the program, the prepared kit contains suggestions and materials to help coordinate designated drivers well ahead of the event.

Note: Manitoba Designated Driver Program pamphlets and kits are available at all MBLL retail outlets free of charge. Information pamphlets are given to all social organizers when applying for social occasion permits.

For information about Manitoba's Designated Driver Program, call: Public Enquiries
Manitoba Public Insurance
204-985-7222 (if long distance, collect calls accepted)
\* 204-985-8832 Hearing Impaired Line

### RECORD THE INCIDENT

A written report <u>must</u> be completed on every function involving alcohol, which takes place on campus.

Often a report that only says "nothing of any consequence happened tonight; function went smoothly, and guests were well behaved" can be as valuable in court as one that gives the details of a fight or an incidence of vandalism.

It is important to record incidents that occur during a function. Record the events immediately afterwards. A report should be completed when any of the following occur:

- a) Refused entry
- b) Requested to leave
- c) Refused service

Include details such as the date, time and place, nature of incident, description of parties involved, action taken, witnesses, whether Security Services were called, whether Winnipeg Police attended, and any other pertinent information.

UMSAFE FUNCTION REPORT		
Day/Date:	Time:	
Name of Function:		
Location:	Number of p	eople expected:
Organizer/Permittee:	O.P. #	
Description of Incident:		
Driving: Se		
Names, addresses, student #'s, description of pa	rties involved:	
Action taken:		
Recorded by:		
Witnessed by:		
Follow-up incident information OR Comments	on event:	
Supervisor of function: (print name)		Time In:
Signature:		Time Out:
UM Security Services Incident #		
Follow-up incident information <b>OR</b> Comments	on event:	
Supervisor of function:(print name)	Time	e In:
Signature:		

# **UMSAFE**

# REFERENCE GUIDE

# **UMSAFE Reference Guide Rules and Regulations**

- 1. It is the duty of **ALL** staff to guard against any person becoming intoxicated in an alcohol function.
- 2. Rules and regulations of the Manitoba Liquor & Gaming Control Act and the University of Manitoba Campus Alcohol Policy shall be strictly enforced and adhered to by all staff.
- 3. It is an offence to:
  - allow an intoxicated person to **enter** an alcohol function
  - Sell or provide liquor to a person apparently under the influence of alcohol or a drug
  - permit a person apparently under the influence of alcohol or a drug to **consume** liquor in an alcohol function
  - be intoxicated in a public place

## 1. <u>Discouraging Intoxication</u>

## Signage

- 1.1 Signs will be displayed indicating that *it is unlawful to admit, sell to or serve an intoxicated or visibly impaired person.*
- 1.2 Signs will be displayed stating that *no one under 18 will be admitted Photo ID required*.

  Occasionally some events held "in house" during first term by Residence Associations, have been exceptions to this policy.
- 1.3 Signs will be displayed stating that *no more than 4 drink* (alcohol) *tickets will be sold to any person* at one time.
- 1.4 Signs will be displayed stating that *no more than 2 drinks* (alcohol) will be served to any person at one time.

Note: Campus organizations will be encouraged to utilize and promote Manitoba's Designated Driver Program.

### **Supervision**

- 1.5 Security staff will refuse entry to any person who is visibly impaired.
- 1.6 Staff will not provide service of alcohol to an intoxicated person.
- 1.7 Function organizers/managers are expected to ensure compliance of these regulations.

#### **Service Standards**

- 1.8 All employees will assess a customer to set the pace and tone of service to avoid intoxication.
- 1.9 All functions serving alcohol of any kind must also provide non-alcoholic alternatives.
- 1.10 Guidelines of responsible service will be adhered to. For example:
  - a) No more than **2 Equivalent Alcoholic Drinks** to any person at one time.
  - b) Staff will communicate any concern over a person who is becoming intoxicated, to the function manager or organizer.

## 2. IDENTIFYING INTOXICATION

All staff will have, or be provided with, the training and skills that enable them to identify signs of intoxication in a working environment.

Staff will actively look for and be aware of **behavior** that may indicate intoxication.

- a) Reduced Inhibitions
- b) Impaired Judgement
- c) Slowed Reactions
- d) Loss of Coordination
- 2.1 To prevent any person who is a minor from unlawfully gaining access, possession or consumption of alcoholic service.
- 2.2 To give notice to minors and to the university community that all function staff take active measures to discourage and prevent the sale of alcohol to minors.

# 3. PREVENTING INTOXICATION

Staff must have, or be provided with the skills and training that enables them to determine responsible service of alcohol, such as:

- a) Knowledge of alcohol effects
- b) Assessing and rating the customer
- c) Monitoring consumption
- d) Signs of intoxication
- 3.1 The unlawful promotion of alcohol will not be condoned.
- 3.2 A person apparently intoxicated, will be denied entry and refused service.

- 3.3 In all cases where an intoxicated person is disorderly on the premise, they will be asked to leave and reasonable steps will be taken to ensure that they do not harm themselves or others.
- 3.4 It is the duty of **ALL** staff to immediately communicate any knowledge or suspicion they may have concerning any person "apparently intoxicated" to the Function Manager or Organizer.
- 3.5 Non-alcoholic products and services will be provided and promoted in all areas where alcoholic beverages are supplied.
- 3.6 Staff will intervene in the sale of alcohol to those persons who are apparently becoming intoxicated.

## 4. <u>INTERVENING IN ALCOHOL SERVICE</u>

At any point before, during, or after the sale, it is the duty of **ALL** staff to prevent an intoxicated person from consuming or purchasing alcohol products.

- a) Any liquor in the possession of an intoxicated person will be confiscated and the Function Manager or Organizer <u>informed immediately.</u>
- b) All staff will follow the procedures of the *Traffic Light* system.
- 4.1 Food and non-alcoholic beverage alternatives must be provided.
- 4.2 Slow down the rate of alcohol service for borderline guests.
- 4.3 Deny service if the drink will maintain or increase an "intoxicated" level.

### 5. REFUSING SERVICE

We are attempting to stop the person from consuming more alcohol and ensuring that they do not harm themselves or others.

When refusing service to an intoxicated guest, staff will:

- 5.1 Alert a back up.
- 5.2 Talk privately and directly to the customer.
- 5.3 Express regret "I'm sorry, I can not serve you another drink."
- Talk directly to a sober companion the guest may be accompanied by: i.e. "will you be responsible to take care of your friend?" or "will you agree to get your friend home safely?"

- 5.5 Be courteous, non-judgmental.
- 5.6 Don't argue or bargain, say instead: "I'm sorry but there is nothing I can do." **or** "It's out of our hands."
- 5.7 Be ready to call a supervisor; the Function Manager or Security Services as warranted.

#### 6. REFUSING SERVICE - SAFETY OF GUEST

- 6.1 A person who has been refused service on the grounds of intoxication **must** be protected from foreseeable dangers to themselves or others.
- 6.2 Staff will demonstrate a concern for the patron's safety by offering to arrange safe transportation.

## 7. <u>DISCOURAGING THE PATRON FROM DRIVING</u>

- 7.1 Attempt to place the patron in the care of a responsible person.
- 7.2 Offer to call a taxi, relative or other method of safe transportation.
- 7.3 Where appropriate delay the guest's departure until safe transportation is arranged, ensuring that the guest does not consume alcoholic beverages.
- 7.4 Call the Function Manager/Organizer immediately if it appears the patron intends to drive while clearly a risk to themselves or others.

# 8. ENFORCEMENT AND ASSISTANCE - UNIVERSITY SECURITY SERVICES

It is our policy to discourage intoxicated persons from entering the premise, being on the premise or being served alcohol. In some instances it is appropriate to summon Security Services to ensure the safety of ourselves, our guests and the public at large.

The Function Manager/Organizer will summon Security Services in the following cases:

- 8.1 An intoxicated person persistently and unlawfully attempts entry and refuses to cease the attempt to gain entry.
- 8.2. An intoxicated person persistently refuses to leave the premise when requested.
- 8.3 An intoxicated person, clearly a foreseeable risk to themselves or others persists in an attempt to drive after refusing alternatives of safe transportation.
- Where the safety of patrons, staff, property and community cannot be assured without the assistance of Security Services.

#### 9. <u>DOCUMENTATION - INTOXICATED PATRON</u>

Records of each alcohol event will be maintained in a *UMSAFE Function Report* detailing:

- 9.1 any and all incidents where intoxicated persons were:
  - a) Refused entry
  - b) Requested to leave
  - c) Refused service
- 9.2 steps taken to ensure the safety of a patron refused further service or requested to leave on the grounds of being "apparently intoxicated".
- 9.3 any incidents of troublesome, inappropriate or dangerous behaviour.
- 9.4 any assistance calls to Security Services, any charges that resulted and whether City of Winnipeg Police attended.

### **PLEASE NOTE:**

You are required to have your UMSAFE card on you at all times while working a bar, as you may be asked to provide it to the Hall Function Supervisor, the Manitoba LGCA or University Security Services.

Your UMSAFE card may be revoked by Conference & Catering Services if you are found to be in violation of the Liquor & Gaming Control Act, the Social Occasion Permit Directive or the terms of the specific Social Occasion Permit you are operating under.

# **UMSAFE PROGRAM EVALUATION**

Day/	Date:
Wor	kshop Location:
Traiı	ner's Name(s):
1.	How helpful did you find today's program in learning about legal liability in relation to the service of alcohol?
	very helpful helpful somewhat helpful not helpful
2.	How helpful did you find today's information on the effects of alcohol and preventing over-service?
	very helpful helpful somewhat helpful not helpful
3.	How helpful did you find today's program in learning how to deal with problem situations?
	very helpful helpful somewhat helpful not helpful
4.	How helpful did you find the program on the subject of underage drinkers and checking identification?
	very helpful helpful somewhat helpful not helpful
5.	How could the UMSAFE Program be made more useful?
6.	How would you rate your trainer(s) in the following areas?
	excellent good fair poor helpful and supportive knowledgeable
7.	Do you feel prepared to use the UMSAFE Program in your job as staff, manager, or organizer of a function?
	definitely yes unsure no
8.	What did you like most about the program?
9.	What did you like least about the program?

# **UMSAFE CERTIFICATION QUIZ**

(please print the information below legibly so your UMSAFE card is processed correctly)

Nam	e: Faculty/Group:
Stud	ent Number:
	le the letter beside the correct answer(s) or write in your answer on the blank line(s) provided. Read tions carefully. Pass is 70%. Certification is for 3 years.
1.	<ul> <li>The UMSAFE Program goal is to</li> <li>A. Prevent students from consuming alcohol.</li> <li>B. Protect the university from costly damages and vandalism.</li> <li>C. Promote safe and responsible consumption of alcohol beverages through education.</li> <li>D. Ensure the university will never be sued.</li> </ul>
2.	Which of the following contains more alcohol?  A. 1. 5 oz. shot of hard liquor B. 12 oz. bottle regular beer C. 5 oz. glass table wine D. all the same
3.	<ul><li>Food in the stomach and slowly sipping drinks helps prevent drunkenness because</li><li>A. It slows the alcohol's rate of entry into the bloodstream.</li><li>B. It masks alcohol's effect on behavior.</li><li>C. It helps the liver "keep pace" with drinking, preventing a build-up of alcohol in the bloodstream.</li><li>D. A and C only.</li></ul>
4.	BAC is affected by your years of drinking experience.  A. True  B. False
5.	Alcohol functions in the body as a (n) drug.  A. Stimulant B. Depressant C. Anti-anxiety  D. All of the above E. None of the above
6.	<ul> <li>A person who loses his or her train of thought is exhibiting</li> <li>A. Faulty judgement B. Lowered inhibitions C. Slowed reactions</li> <li>D. Poor coordination E. Poor sociability</li> </ul>
7.	Social staff/management should call the function security or University Security Services  A. Whenever they cut off a customer  B. Only if the person has a weapon  C. Never  D. If the customer threatens, refuses to leave, or becomes abusive
8.	Supervisors, not servers should decide when to cut a customer off.  A. True  B. False
9.	The measurement of alcohol in the bloodstream is known as
10.	Inhibitions have to do with a person's sense of  A. Balance B. Self-control C. Humor

11.	If an intoxicated person intends to drive, all reasonable efforts up to & including alerting University Security Services should be used to prevent that individual from getting behind the wheel.  A. True  B. False
12.	A server or seller of alcohol can be required to pay damages for an accident caused by an intoxicated customer.
	A. True B. False
13.	The best way to avoid serving an underage customer is
	A. Ask questions to find out their age
	B. Politely ask for photo ID from any customer who may be underage
	C. Ask their friends to vouch for them  D. Tall them as they walk up that they leak too young and you're not serving them
	D. Tell them as they walk up that they look too young and you're not serving them
14.	The two most important factors controlling Blood Alcohol Concentration are  1)
	2)
15.	The minimum time that it takes the body to eliminate the alcohol in a 1 $\frac{1}{2}$ oz. shot is
15.	<del></del>
	A. One hour B. One & one-half hours C. Two hours
16.	If your student organization holds an alcohol function on campus, they could be held liable under the
	A. Providers Liability B. Occupiers Liability
	C. Both of the above D. Neither of the above
17.	The UMSAFE Function Report/Incident Log must be used at all alcohol events to record
	A. Anyone refused entry B. Anyone requested to leave
	C. Anyone refused service D. Anyone dressed inappropriately
	E. All of the above F. A, B and C only
18.	The <u>UM Campus Alcohol Policy</u> requires that
	A. Alcohol-free beverages be available at all alcohol events
	B. No more than 2 drinks be served to any person at one time
	C. No more than 4 drink tickets be sold to any person at one time  D. All of the above
10	Drynging the first manager "II", the garrier
19.	By using the first-person "I", the server  A. Takes responsibility for his/her statements
	B. Shows a poor attitude
	C. Excludes the possibility of calling the manager
20.	In every province, you'd be breaking the law if you sell to someone who's already had too much alcohol.
	A. True B. False