

BARTENDER AND SERVER WORKBOOK

VOL8

Dealing with the Intoxicated Patron

Coaching the Experienced Bartender & Server



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Maj. Willingham earned his PhD in Business Administration with a specialization in Business and Corporate Security focusing on responsible alcohol sales practices. He was the recipient of the Fulbright Fellowship in Police Studies to the United Kingdom where he conducted research on youth access to alcohol prevention, regulation of the alcoholic beverage industry, and control of abusive drinking. Mark served as the International President of the FBI National Academy Associates and has authored four books and over fifty articles in state and national law enforcement journals on leadership, management, and alcohol related issues. Mark is a national speaker on alcohol related risk, mitigation, and responsible alcohol relating issues.

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Welcome and Introduction

The Coaching the Experienced Bartender series is designed for bartenders and servers like you who are already skilled in the basics of serving alcoholic beverages. The objective of the workbook is to refresh your knowledge and awareness and build on your current skills and training to help you reach a new level of responsible alcohol service.

One of the most important duties you have as a bartender or alcohol server is helping your guests drink responsibly to promote a satisfying hospitality experience. It helps ensure the safety of your guests and others in the community. Just like first responders, bartenders, alcohol servers, and other front of the house staff have a responsibility to protect the community. You accomplish this task by preventing your patrons from becoming intoxicated, by not serving intoxicated patrons, and by not allowing intoxicated patrons to drive away from your location. Your knowledge of responsible alcohol service and your ability to apply this knowledge is absolutely vital to the success of your establishment and to the safety of your community.

One of the most important duties you have as a bartender or alcohol server is helping your guests drink responsibly to promote a satisfying hospitality experience.

Public safety must be a personal and professional consideration of everyone in the alcoholic beverage industry. Professionals in the retail beverage alcohol industry must adopt and employ a personal value system for the safe service of alcohol and commit to preventing the the sale of alcoholic beverages to underage persons, persons who are intoxicated, and/or persons habitually addicted to alcohol.

It may be counterintuitive to those in the hospitality business to deny someone alcohol service. Refusing service can place employees in a challenging and stressful situation. Sometimes putting limits on alcohol service is the best thing you can do for your patron. Alcoholic beverage service policies, practices, training, and management prepare and help you to provide your guests with a wonderful experience and help you to protect your guests, yourself, and others from alcohol-related harms. In the long run, guests and the community

will be grateful for your concern and action. You have the right to refuse service to anyone you do not feel comfortable serving unless that refusal is based on the individual's constitutionally protected rights (i.e., race, creed, color, gender, sexual orientation, religion).

All front of the house and customer contact employees must be prepared to contribute to and support responsible alcohol service. This behavior applies to hosts/hostesses, servers, bartenders, bar-backs, bussers, valets, security, coat checkers, cashiers, managers, and food runners, and anyone else who comes into contact with guests.

The workbooks in this series are designed to provide information to help you understand and implement the law and rules in your community, recognize and prevent intoxication, recognize and prevent alcohol service to and consumption by habitually addicted patrons, checking identification and preventing alcohol service to and consumption by persons under 21 years of age, use of legal and illegal drugs with alcohol and the effect(s) of that poly-drug use on patrons, and difficult situations occurring in your establishment.

Engaging in responsible alcohol service is not a once-a-year or a once-every-5-years activity. It is a daily duty to your guests, your coworkers, your establishment, and yourself. By applying the skills you acquire and enhance through completing this series of workbooks, you will make a significant contribution to responsible alcohol service.

Some information presented builds on information presented in the National Restaurant Association's ServSafe program, the American Hotel and Lodging Association's CARE program, and Health Communications, Inc.'s Training for Intervention ProcedureS (TIPS) program.



Dealing with the Intoxicated Patron

Even though most of your guests manage their drinking responsibly, is it sometimes necessary to manage someone's drinking for them?

Circle your answer: **Yes** **No**

When you have decided to cut a patron off from further alcohol service, what steps should you take to ensure the patron does not consume additional alcohol?

If a guest shows physical or behavioral signs of intoxication, or you are concerned about the number of drinks he or she has consumed, you must stop serving alcohol.

Denying or stopping alcohol service is never an enjoyable task. However, it is an extremely important one. When dealing with an intoxicated guest, the guest's well-being and the safety of others depend upon the actions you take.

Even though most of your guests manage their drinking responsibly, sometimes it is necessary to manage someone's drinking for him or her. Telling someone he or she has had too much to drink can be difficult, if not uncomfortable. After all, most servers have been taught to give the customer whatever the customer wants. However, telling someone he or she cannot have any more to drink is sometimes necessary. Remember, sending someone out the door intoxicated is a liability to the establishment and a threat to public safety. When serving alcohol, it is your responsibility to serve it responsibly. Verify your observations. If possible, ask another employee to observe the customer's behavior. If you both agree the person needs to be refused alcohol, you can proceed knowing you have a backup if that becomes necessary.

Cutting off a patron's alcohol involves both good alcohol management practices and

diplomacy. After all, you are in the business of serving alcohol and you probably want the intoxicated guest to return again when he or she is sober. It can even be more challenging when the alcohol service is part of a large celebration or function. For example, you may work at a club hosting a wedding or retirement party where the host is a club member. Regardless of the nature of the business or the influence of the drinker or the host, if a guest has had too much alcohol, you must stop alcohol service.

Never let emotions get in the way of doing the right thing. When guests have had enough, they have had enough, regardless of their patronage.

Sometimes you need to cut off a regular. This task can sometimes be intimidating, especially when the guest has been visiting the establishment for a long time or when a friendship has developed between the two of you. Never let emotions get in the way of doing the right thing. When guests have had enough, they have had enough, regardless of their patronage. Let your relationship work to your advantage. Express the genuine concern you have for the guest's safety, but be firm.



When you make the decision to cut off a patron from further alcohol service, stop serving him or her. Ask a coworker to watch as you refuse to serve alcohol to the guest; you may need the coworker's help. The backup person should be prepared to provide assistance and must be close enough to observe the situation, but not so close to appear threatening to the guest.

Whenever possible, enlist the help of a guest's companions. There are times when you may be able to convince an accompanying friend or relative to help you stop service. For example, if the intoxicated guest steps away, tell the friend or relative that you must stop service, and ask for help from him or her. The companion

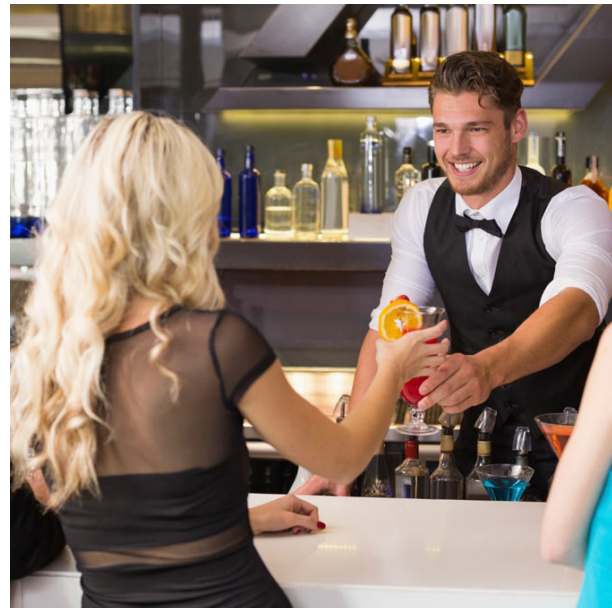
may be able to intervene and convince the guest not to order another drink. Companions may also be able to smooth over the situation if you must stop service.

While your decision will depend on the behaviors you observe, you may decide to wait until the guest orders the next round before stopping service. Sometimes the guest may decide or agree that his or her current drink is the last and you will be able to avoid a delicate situation.

Try to move the guest away from others before you tell him or her that you can not serve him or her any more alcohol. Keep the conversation as private as possible and do it in a non-confrontational manner. This approach gives you with the greatest opportunity for success. Avoid being judgmental, but be firm. Be empathetic and express concern. Be genuine. Tell the guest that you are concerned about his or her safety. Show the guest you understand how he or she is feeling by saying something like, “I know this is frustrating or annoying, but I am concerned about your safety,” or “I just want to make sure you get home okay.” Statements such as these are effective and help guests see that you care about them.

Make sure that you maintain eye contact while you speak to the guest, and nod or shake your head when appropriate. This behavior will show that you are listening to the response.

Calmly and firmly state your establishment’s policy. For example, you might say, “I’m sorry, but I’ve served you all the alcohol that my manager will allow.” Do not judge the guest, make accusations, or argue. Don’t say, “You’re drunk” or “You’ve had too much to drink.” Repeat your establishment’s rules: “We care about your safety, and I can’t serve you any more alcohol” or “The local police are really cracking down, and I can’t serve you any more alcohol or we’ll both get in trouble.”



There are many other statements that you can use when discontinuing alcohol service. Some of those options are:

- **“I’m sorry, but I don’t feel comfortable serving you another drink.**

How about a soda or a cup of coffee instead?”

The statement is phrased as an “I” statement, not a “you” statement. It is not judgmental, which helps deflect blame from the guest. It also offers the guest a non-alcoholic alternative.

- **“I’m sorry, but I could get fired if I serve you another drink.”**

The statement is phrased as an “I” statement and is not judgmental.

- **“I’m going to have to stop serving your friend.**

Can you make that drink your last and see that he gets home safely?”

You should always try to enlist the help of an accompanying guest when stopping service.

- **“I’m sorry, but it’s against the law for me to serve you any more alcohol.”**

The statement is phrased as an “I” statement and is not judgmental. It is appropriate and reasonable to quote the law when stopping service.

Remove any alcoholic beverages they have been served but not yet consumed. If the guest is intoxicated to the point you are discontinuing service, the guest is too intoxicated to continue drinking the beverage in front of him or her. If necessary, remove all alcohol from within reach of the person.

Guests who have been cut off will often try to persuade you to change your mind, or ask for just one more drink. Once you have made the decision to stop service, stick to it. Be patient and remain calm. Simply and clearly repeat your decision to stop alcohol service as many times as necessary until the cut-off guest understands and accepts your decision.

Do not be persuaded to give an intoxicated guest one last drink after you have stated made your case. If the guest has accepted the discontinuance of service, move on to other

work. By moving on, you not only show the customer that you are firm in your decision, but also that it's not up for discussion and you're busy. It is important to walk away and continue with work even if you don't have anything pressing to do. Wipe something down, talk with another customer so you are doing something away from the customer in question. This behavior makes it clear to the customer that you have other customers and that you're going to continue with your work.

Notify Management and Security

Is it important to notify management and other servers when taking steps to discontinue alcohol service?

Circle your answer: **Yes** **No**

Why is this important or not important?

Unfortunately, you may have to deal with potentially violent situations when cutting off an intoxicated guest. To prevent injury to yourself and to the guest, you should anticipate problems and notify your manager before the situation becomes violent. If you are caught by surprise and violence is likely to occur, call the police. Try to separate other guests from the situation. Never touch or attempt to physically restrain a guest.



Provide the Intoxicated Guest with Food, Water, and Non-Alcoholic Beverages

Should you provide intoxicated patrons with food and non-alcoholic beverages?

Circle your answer: **Yes** **No**

Why?



Does coffee help or aggravate patron intoxication?

Does providing the intoxicated guest with food, water, or non-alcoholic beverages help reduce the intoxicated guest's inebriation or forestall increased intoxication? Remember, the drinker's intoxication is a result of the alcohol that has already been consumed. At this point, food, water, and non-alcoholic beverages will not prevent intoxication. However, serving these items gives the intoxicated guest something to do other than drink. Food can also help settle an upset stomach, which may limit vomiting. If the guest came into the establishment with friends, having food, water, or a non-alcoholic beverage in front of him or her will also allow him or her to still feel like part of the group.

The movies have long portrayed coffee as a way to sober up an intoxicated patron. Only time can sober up an intoxicated patron. In fact, coffee can work against sobriety. Coffee (in particular caffeine) accelerates the passage of stomach contents into the small intestine, where the majority (75% to 85%) of alcohol is absorbed. If an intoxicated person still has alcohol in his or her stomach, you would want that alcohol to remain there for as long as possible to give the body more time to metabolize the alcohol already in the bloodstream. Providing caffeine to the intoxicated patron may cause that alcohol to pass into the small intestine, thus providing additional alcohol in the bloodstream that must be metabolized before the intoxicated drinker's BAC starts dropping.

If food is available, ask the customer if he or she would like to place an order. Encourage the customer to do so. Offer the customer foods high in protein and fat (cheese and meat are good choices), if possible. These are the best foods for slowing the absorption of alcohol if any alcohol remains in the stomach. Avoid serving peanuts, pretzels, and potato chips because the high salt content only increases thirst and the customer's desire for more drinks.

If no food is available, offer the customer bar snacks such as popcorn, pretzels, or potato chips, and be sure to offer water or a non-alcoholic beverage as an accompaniment. Again, consuming snacks will not reduce intoxication, but will give the guest something to do and may allow him or her to remain feeling part of the group of friends.



Prevent the Intoxicated Guest from Drinking Other Guests' Alcoholic Beverages

How do you prevent an intoxicated patron from drinking other patron's drinks or drinks other patrons have purchased for them?

Even if you do not serve intoxicated guests further alcoholic beverages, there is a significant chance that the intoxicated guests will try to get drinks through others. They may even try to drink other patrons' drinks.

Pay close attention to the actions of those you have cut off. This attention will allow you to determine if they return back to the green zone and could have another drink. More particularly, this attention will allow you to determine if they show signs of medical or physical distress as the alcohol they have consumed is absorbed into their system.

If the intoxicated patron's companions provide alcohol to the intoxicated patron or allow the intoxicated patron to consume their alcoholic beverages, it may be necessary to discontinue service to the table.

Insisting the Intoxicated Patron Leave the Premises

Should you insist that an intoxicated patron leave your store?

Why?

While it is not the law in Florida, some states prohibit the business from allowing an intoxicated person to remain on the premises for more than 30 minutes. The theory behind this law is that 30 minutes should be reasonable time in which to arrange for safe transportation away from the premises and, if a guest remains on the premises longer than 30 minutes, there is a significant possibility the guest will find a way to obtain additional alcoholic beverages.

Because this is not a requirement in Florida, you should focus on the safety of the intoxicated patron and encourage him or her to stay at the premises for as long as reasonable to monitor his or her behavior, protect him or her from harm, and make arrangements for care

either through a friend, relative, or even the police.

Designated Drivers

Designating a driver is the most responsible thing a guest can do. A designated driver is an individual in a group of people drinking alcoholic beverages who agrees to refrain from consuming alcohol so that he or she can safely drive others home afterward. Some establishments participate in designated driver programs and encourage their use by offering free non-alcoholic drinks or other specials to designated drivers. Although a designated driver may be present, you are still responsible for monitoring a guest's level of intoxication and stopping alcohol service when necessary.

When you cut off a patron from the further service of alcoholic beverages, try to enlist the assistance of the designated driver in caring for the drinker.



Preventing Intoxicated Patrons from Driving Away

What steps should you take to prevent an intoxicated patron from driving away from your premises?

Can you and your business be liable for sending an intoxicated person out of the premises?

Circle your answer: **Yes** **No**

Whether the drinker became intoxicated at your establishment or arrived that way, you should do everything you can to prevent that person from becoming a risk to himself or herself

You should never force or throw out an intoxicated guest, including one who might be disturbing other guests or causing a scene. If you must ask a guest to leave, arrange transportation for him or her and others.

and others if he or she decides to leave while intoxicated. Aside from physically restraining someone, do everything you can to prevent an intoxicated guest from driving away. It is better to risk an angry guest than to risk lives.

Sometimes the intoxicated guest will have driven to your establishment with a companion or companions. If these people have remained sober, you may be able to enlist their help in driving the guest home. However, the situation can become much more challenging when the guest has driven to your establishment alone.

You should never force or throw out an intoxicated guest, including one who might be disturbing other guests or causing a scene. If you must ask a guest to leave, arrange transportation for him or her and others. For example, call the guest's friend or relative. Ask a companion who is not intoxicated to drive. Call a cab.

There are several important steps to follow to prevent an intoxicated guest from driving. Whatever you do, never use physical force to try to stop the guest. First, try to convince the guest not to drive. Second, ask the guest for his or her keys.

Try to Convince the Guest Not to Drive

An intoxicated guest is not capable of using good judgment in determining if he or she should drive. It is your responsibility to make sure the intoxicated guest is cared for and does not become a risk to himself or herself and others.

If the guest arrived with other people or met others at your establishment, try to enlist their help in caring for the intoxicated guest. If that option is not possible, ask the drinker for the name and phone number of a friend or relative to pick up the intoxicated guest.

If the guest is alone and no friend or relative can be found, it may be more challenging to care for the guest. A common action is to call a cab to take the intoxicated patron home. However, this approach can present a risk, even though the intention is good. Because judgment is significantly reduced through intoxication, it is not unusual for the drinker to tell the cab to drop the guest in the parking lot where he or she has access to a car.

Even if the patron gets home just fine, intoxication is indicated in many other types of harms. For example, intoxicated individuals are at much greater risk of being a victim of sexual assault and of committing sexual assault, of considering and attempting suicide, and of engaging in or being a victim of other crimes such as robberies and homicides.

What to Do if a Guest Attempts to Drive Away from the Establishment

Your goal should be to prevent an intoxicated guest from driving away from the premises. The best result is to ask for the car keys and to arrange safe travels with a friend or relative. However, some intoxicated guests will resist giving you their keys. Others will argue that they are not even intoxicated.

You should convey to the intoxicated guest in a calm and professional manner that you and your manager believe the guest is too intoxicated to drive. Tell him or her that being stopped by the police will surely result in being arrested. Explain that you are not permitted to allow the person to drive from the establishment.

Again suggest to the guest a safe ride from a friend or relative or in a cab. Offer to make the call for him or her. Explain that the establishment will gladly pay the cab fare and the guest can pick up his or her car in the morning. In many communities, AAA or other groups provide a program that includes a wrecker to tow the person's vehicle home or a second driver to deliver the car.

If the driver insists on driving, you have no other choice than to call the police. Be prepared to provide the police with the following information:

- | | | |
|---------------------------------------|----------------------------------|---|
| 1) The vehicle's license plate number | 2) The make and color of vehicle | 3) The direction the intoxicated driver was heading |
|---------------------------------------|----------------------------------|---|

Immediately write down the event in your incident log, with as much detail as possible. Include your actions and the customer/patron's responses.

Report Writing

Should you make notes or prepare a report when you discontinue alcohol service to a patron?

Circle your answer: **Yes** **No**

What are the benefits of preparing such a report?

It's a good idea to document any alcohol-related incident, such as your having refused service. Keep a notebook handy to jot down the date, the time, and what you did to keep the guest from drinking more alcohol.

Ask yourself whether the customer refused offers of transportation, non-alcoholic drinks, or food. Did he or she create a disturbance? If so, write it down, as well as any other unusual events in an incident log for future reference.

Always remain professional, courteous, and firm once you have made a decision to refuse a sale or service. Resist the urge to let a customer talk you out of your decision.

The best way to protect yourself and your establishment is to write down the action you took to handle any situation involving intoxicated guests, whether or not a problem developed.

If you and your establishment can show that you've handled intoxicated guests appropriately



in the past, courts may be less likely to find you liable if a problem does occur.

Some establishments use an incident report for recording information. Others have employees write in a notebook. The following page shows a sample incident report. Ask your trainer or supervisor to show you what your establishment uses and how to fill it out.

Sample Incident Report

- **Date of this Report**
- **Nature of Incident**
- **Location of Incident**
Room number or specific location
- **Date and Time of Incident**
- **People Involved**
Name, address, phone, room number if guest, role in incident
- **Details of Incident**
Describe exactly what happened, providing only facts, not opinions
- **People Immediately Contacted Regarding the Incident**
Note whom you contacted and what you said

Management and Environmental issues

Responsible beverage service requires the ability to monitor and control alcohol consumption. Thus, establishments that serve alcohol should prevent overcrowding.

Advertisements and promotions should not encourage irresponsible drinking, nor should abusive drinking be encouraged via two-for-one or other discounted drink pricing schemes. Prohibit customers from leaving the establishment with open containers of alcoholic beverages.

Let's See What You Have Learned

Even though most of your guests manage their drinking responsibly, is it sometimes necessary to manage someone's drinking for them?

Circle your answer: **Yes** **No**

When you have decided to cut a patron off from further alcohol service, what steps should you take to ensure the patron does not consume additional alcohol?

Is it important to notify management and other servers when taking steps to discontinue alcohol service?

Circle your answer: **Yes** **No**

Why is this important or not important?

Should you provide intoxicated patrons with food and non-alcoholic beverages?

Circle your answer: **Yes** **No**

Why?

Does coffee help or aggravate patron intoxication?

How do you prevent an intoxicated patron from drinking other patron's drinks or drinks other patrons have purchased for them?

Should you insist that an intoxicated patron leave your store?

Why?

What steps should you take to prevent an intoxicated patron from driving away from your premises?

Can you and your business be liable for sending an intoxicated person out of the premises?

Circle your answer: **Yes** **No**

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