## The Five Foundations of SAFE MONEY

Reduce Liability, Protect Your Business, and Increase Profits Through Responsible Alcohol Training & Safety





## At a Glance:

## The Five Foundations of SAFE MONEY

**#1** Create Opportunities to Foster Responsible Alcohol Training, Certification, and Safety Practices at Your Establishment.

**#2** Understand the Power of Awareness About Your Establishment's Possible Liability Risks, Liability Policy Coverages, and Policy Limits as It Relates to Responsible Alcohol Sales/Service and Safety Practices.

**#3** Identify Opportunities to Help Educate and Support Staff Understanding of the Duty to Care Concept, Which Includes Communicating with Customers and Caring About Their Well-Being and Intentions.

**#4** Reinforce Responsible Alcohol Training by Posting Your Suggested House Policies, Educating Staff and Patrons About the Policies, and Enforcing the Rules—Especially When It Comes to Carding.

**#5** Remember That Focusing on the Concept of "Safe Money" Can Create Money, Mutual Respect with Generations of Patrons, and a Safe Community.

# Introduction: What Is SAFE MONEY?

How Does Safe Money Benefit Businesses
That Sell and/or Serve Alcohol?

For owners and operators of businesses or chains that sell and/or serve alcohol—such as bars, restaurants, nightclubs, hotels, retail establishments, entertainment, and municipal venues—the idea of "safe money" is crucial. Safe money is all about creating safe communities through responsible alcohol training and certification, the ongoing enforcement of safety and house policies, and the professional caring and understanding of patrons' needs, which can all help reduce the opportunity for potential, unforeseen risks.

Truly, every alcohol-selling and/or alcohol-serving business that prioritizes safety and takes the educated service of alcohol seriously—not only for legal issues that might result but for the safety of the environment and community—is inevitably helping to make *safe money*.

By providing safety, security, and a welcoming and caring environment, owners and operators can feel content that they are making safe money. Yet, do all owners and operators take responsible alcohol training and safety, or the idea of safe money, seriously? What if they don't?

Most owners and operators of businesses that sell and/or serve alcohol recognize that alcohol training and safety are vital to their business's success and longevity; they ensure that all management and staff are... *Continued...* 

#### Introduction (Cont.)

...trained and policies are enforced. In fact, most mid-size and large organizations that sell and/or serve alcohol make safety training and certification available to every team member. However, a 2019 <u>Toast report</u> says that only about 53 percent of restaurants provide training for alcohol service and food safety. In addition, according to a study published in the March 2024 issue of the <u>Journal of Studies on Alcohol and Drugs</u>, researchers observed that in 300 bars and restaurants in the San Francisco Bay area, staff rarely made the right decision when faced with potentially intoxicated individuals ordering alcohol. Specifically, the study showed that only 21 percent of establishments refused service to such individuals.

As a result of not focusing on alcohol training and enforcement, some owners, operators, and staff of establishments may be confronted with multiple issues that they do not know how to handle properly. If these issues continue to occur, many communities may file complaints and lawsuits against these establishments, and their liquor licenses could end up in jeopardy—or much worse.

By staff knowing the potential alcohol-related risks a business could face, training and educating staff, enforcing policies, promoting patron and staff safety, and encouraging a welcoming and caring environment, owners and operators align themselves with the idea of making *safe money*. This can potentially lead to long-term business success and profitability.

This <u>Serving Alcohol</u> white paper explores the idea of safe money and covers the five key foundations that owners and operators should understand.

# Create Opportunities to Foster Responsible Alcohol Training, Certification, and Safety Practices at Your Establishment.

To successfully navigate the possible risks and liability issues at establishments that sell and/or serve alcohol through employees, owners, and operators should manage or mitigate risk by implementing ongoing alcohol training and certification for staff and new staff—and it needs to be a priority.

Simply put: Owners and operators should provide education and help to empower employees to care for the well-being of guests and the establishment through responsible alcohol training and certification, having knowledge of house safety policies, and enforcing policies. This level of education—for both managers and staff—can help minimize risky behavior among team members and customers.

Some owners, operators, and trainers may want their own in-house alcohol training done in a hurry—like in 15 minutes or less. Those who think this way need to remember that proper alcohol training, from reputable providers like <u>Serving Alcohol</u>, is the key to reducing risk and helping to ensure a safe environment (especially because employees can have the biggest risk of liability, since they act on behalf of their employer). In addition, alcohol training may be legally required by state, city, police, and insurance companies. Most dram shop liability insurance carriers will require the policy holder's employees to take preventative training courses, in an effort to help lower the cost of underwriting.

Owners, operators, and their staff need the benefit of training (and ongoing training) to understand the legal requirements of... *Continued...* 

## Foundation #1 (Continued)

...selling and/or serving alcohol. Owners, operators, and their staff also need to develop the ability to train patrons to self-control and modify the attitude of possible aggressive alcohol consumption. They need to be trained to anticipate situations that could possibly become out of control and cause major damage to an establishment from operational, reputational, and financial standpoints (Remember: All violence is sudden and unforeseeable). Consequently, owners and operators should be proactive with training and make training a priority to help avoid potential losses.

Businesses and owners/operators that help themselves by taking responsible alcohol training and safety practices seriously will most likely be the ones who see their businesses stay ahead of safety issues, maintain a safe environment, and experience longevity and *safe money*.



### Understand the Power of Awareness About Your Establishment's Possible Liability Risks, Liability Policy Coverages, and Policy Limits as It Relates to Responsible Alcohol Sales/Service and Safety Practices.

For owners and operators of businesses that sell and/or serve alcohol, it's important to know about the potential alcohol liability issues for the business, the risks involved, and the details and limits of the establishment's liability insurance coverage. Lack of knowledge and understanding in these areas can damage the success and longevity of the business. Note: Negligence is not knowing. Recklessness is not caring.

To understand alcohol liability and the risks involved, owners and operators—as well as their entire team—should take a responsible alcohol training course and get certified (of course, many states and insurance carriers require it). Training providers like <u>Serving Alcohol</u> support businesses and professionals by offering courses about responsibly selling and/or serving alcohol for on-site or off-site/to-go.

In addition to understanding the potential risks and liability issues, owners and operators should fully understand their alcohol liability insurance policy and related risk management. Alcohol liability insurance (sometimes referred to as liquor liability insurance or dram shop insurance) is required for establishments that sell and/or serve alcohol, considering the potential risks surrounding selling and/or serving alcohol. This type of insurance is simply an agreement between an insurance provider and a business owner and staff to provide financial compensation when possible unforeseen events occur. The... *Continued...* 

## Foundation #2 (Continued)

...insurance policy covers things like death, loss, and damage, by providing the policyholder with financial compensation or liquor liability coverage limits. This type of insurance generally covers liability (or responsibility for something by law) when something happens out of a business's control or that could possibly be preventable under its control (such as having all staff complete a responsible alcohol training and certification course). When it comes to alcohol liability insurance, owners and operators should never assume what their policy entails. Thus, it's best to do an annual insurance review with an insurance agent.

When looking at alcohol liability insurance and an establishment's risk, see if the policy is outdated. Are there any oversights with the policy? Does the policy need to be rewritten in any way? Does the business lack enforcement related to any of the items in the policy?

Stay on top of what the insurance liability policy covers and doesn't cover. Many owners and operators may or may not have a lack of understanding of insurance policy exclusions. For example, assault and battery charges as they relate to alcohol—does the business have coverage for that? What about seller-server discrimination as a potential liability when it comes to alcohol? The fact that something is legal, such as cocktails with THC (tetrahydrocannabinol—the psychoactive compound found in the cannabis plant) or other THC-infused drinks, may not mean your insurance covers it. The sale of cannabis-infused drinks can significantly impact your liability insurance and what insurance carriers will cover and, most likely, what they will not. Ensure there's no confusion by reviewing your liability insurance policy with your carrier.

When reviewing your policy with your insurance provider, pay attention to any changes in regulations that allow something new, and then validate your coverage. Look for anything that needs to be updated or changed and look for opportunities to reduce the business's insurance rates. Internal insurance company risk evaluations of house policies can aid in reducing unnecessary insurance charges.

Continued...

## Foundation #2 (Continued)

Once you've reviewed your policy with your insurance agent, ask yourself the following key questions:

- Are there any alcohol liability insurance risks that my business needs to correct, from a staff and operational standpoint? Employees should be aware of the value of their preventative security observations.
- Do I need to provide more staff training through a provider like <u>Serving</u> Alcohol?
- Do I need to purchase safety equipment, such as cameras?
- Do my insurance policy, in-house policies, staff training, and documentation all align? Do I post house policies that inform patrons of the conditions of entry?
- Does the business need to do a better job of onboarding and training staff with responsible alcohol service, in addition to offering and requiring ongoing training opportunities?
- Does the business need to implement a rewards system to ensure staff complete their responsible alcohol training and certification?

To be *safe money*-minded, owners/operators and staff must be aware of the establishment's possible liability risks, liability coverages, and liability policy limits. Start with a review of the business's alcohol liability insurance and evaluate it with an agent and/or an attorney. Proactive awareness of unforeseen or unwanted problems can help create opportunities to reduce their occurrences.

Identify Opportunities to Help
Educate and Support Staff
Understanding of the Duty to Care
Concept, Which Includes
Communicating with Customers and
Caring About Their Well-Being and
Intentions.

Owners, operators, and their entire staff should have an awareness of their legal duty to care, how caring relates to laws, and how having a caring mindset is important when it comes to responsible alcohol service and safety. The intent of you and your staff should always be to care about, help, assist, and protect patrons. Note: Owners, operators, and staff should not make legally binding declarations to customers about the duty to care; instead, they should operate with an awareness of the legal and ethical duty of care. Staff can make judgment decisions about patron care, to try to control the possibility of unforeseen harm.

Sometimes a business that sells and/or serves alcohol can have a lack of education around the care of patrons. Yet, owners, operators, and their staff have a *duty* to care. That duty to care means having a vested interest in understanding each customer's well-being and intent. Indeed, the most important thing for owners, operators, and staff to remember when it comes to selling and/or serving alcohol is to care for patrons and their needs.

Essentially, a business that sells and/or serves alcohol is a professional guardian—including its owners, operators, and staff—that has a duty to care for patrons' needs... by law. You have a legal duty to care for and control customers' wants vs. what they need. Why? Because... *Continued...* 

## Foundation #3 (Continued)

...caring and caring about the customer's *intent*, when it comes to selling and/or serving alcohol, is to address the patron's wants, but within the reasonable legal and regulatory framework that are in place. Having awareness of your patrons' drinking creates an opportunity for increasing care.

Ensuring your duty to care and knowing your customer's possible intent is essential to creating the opportunity for preventative and responsible alcohol service and/or sales. This concept goes beyond the establishment's owners and operators and extends to all staff. The transfer of legal duty to employees occurs because they act on behalf of the owners. Your staff's professional awareness creates a greater opportunity for preventive service. Accordingly, employees should be trained through a responsible alcohol training program, and that training needs to be continued and reinforced by skilled owners, operators, and managers who care.

For restaurants and bars, specifically, how does one understand the patron's well-being and intent when they enter the business and before alcohol is sold or served to them? This duty of care involves communicating with patrons early on and often, and qualifying their possible intent/needs before entry and before serving/selling them alcohol. Staff should communicate by asking questions such as: How is your day going? How can I be of any assistance? What brings you here? Is this a celebration? Is this an important business event? Is it a birthday party? And then continually check to see if anyone looks underage. Also, always remember to check the age of the person paying the bill, if it's a group of younger customers. Staff should communicate with patrons to develop possible proactive solutions that protect patrons and the community. A seller/server's communications with patrons help to assist patrons by limiting possible problem situations.

For any business that sells or serves alcohol, knowing why customers are at the establishment helps staff anticipate and then re-evaluate their patrons as the night progresses. Owners, operators, and staff should... *Continued...* 

## Foundation #3 (Continued)

...educate patrons to respect possible alcohol use and the potential outcomes of signs of possible impairment, and this all goes back to having an awareness of the customer's state of well-being and intent by communicating and engaging with them early and often.

Note: In some cases, staff may encounter patrons who are impaired by medical and physical health issues, which is important to be aware of when considering well-being and possible signs of impairment. Thus, how do you know that alcohol is the possible cause of impairment? You deal with what you see and then assist. Poly impairments are a list of different conditions that are always included in the equation and rarely brought into light. For example, how many patrons consume alcohol or use marijuana, experience fatigue, or take prescribed legal medications before entering the establishment? Other impairments could be due to emotional issues, mental health challenges, age, pregnancy, or being a legal person of need, or a possible criminal.

If customers respect and trust you, they will be more likely to listen and communicate with you—even when alcohol is beginning to affect their judgment. In the end, they will bring generations of family members back to support the establishment, whose staff has an awareness surrounding patron care. These customers will keep coming back to an establishment because the staff *cares*.

Caring is the best duty to have because it helps you and your staff save patrons from themselves. In the end, caring creates safety, potentially lowers risk opportunities, and supports an environment of stellar hospitality—which all means *safe money*.

# Reinforce Responsible Alcohol Training by Posting Your Suggested House Policies, Educating Staff and Patrons About the Policies, and Enforcing the Rules—Especially When It Comes to Carding.

Owners and operators of businesses that sell and/or serve alcohol should reinforce responsible alcohol training and safety by having house policies and enforcing the rules through staff—especially when it comes to carding. Having an entire staff that's trained and certified in responsible alcohol service, and who know house policies and enforce them, is key. It is important to recognize that all personnel involved in the sale or service of alcohol are crucial in assessing safety, and not solely the establishment's proprietors and managers.

To ensure safe money, owners and operators should reinforce responsible alcohol training and safety through the leadership of their staff, making it clear that the sellers/servers are on the frontlines of enforcing responsible alcohol service policies, AND that they're the best judges of a patron's needs, as well as their limits. Businesses that do not have a trained staff, enforce policies, or post those policies are possibly less equipped to ensure safety and make safe money. The price for not doing these things can be significant—not just financially, but the human cost can be huge. Do not let a tragedy define your business or your employees. Ensure that employees are equipped with proper training and the knowledge to maintain a safe environment that leads to positive outcomes and safe money.

One common industry mistake related to reinforcing alcohol training and safety, which is also a deterrent to the concept of... **Continued...** 

## Foundation #4 (Continued)

...safe money, is that many operators do not post house policies in prominent places. Having and posting these policies can make customers feel safe and aware of the guidelines for drinking and visiting an establishment.

House policies can bring visibility to how the establishment will be run, and they ensure that owners/operators, their employees, and their customers know the ground rules (It's also important to note that house alcohol policies or rules can be stricter than state and local ordinances). Customers will also proactively educate each other and inform new patrons when they are breaking house policy, or they will report them to house employees.

When it comes to house policies, customers will keep coming back if they know they can trust the business. In fact, it's been shown that patrons return to businesses that care for them and whose staff focus on safety and courtesy, leading to customer longevity and a financially successful business (i.e., safe money).

Another common mistake when it comes to reinforcing alcohol training and safety is not checking IDs consistently. Taking the time to check IDs is the most important aspect of carding.

Owners and operators should ensure that their staff are educated on what valid forms of identification are acceptable and that they card consistently and correctly. These days, fake forms of identification are readily accessible to underage drinkers. So, when in doubt, ask for a second form of identification. Always be consistent and courteous when asking for identification. Do not let a customer, crowd, or busy shift dissuade any staff member from consistently and carefully carding. Never allow patrons to control your premises; they are a guest, not an owner. In every case when carding, look at the ID, look at the individual, and make sure they match. Many IDs are valid IDs, but they do not belong to the person who is being carded. If there is any question, then a second form of identification should be requested. If that fails... *Continued...* 

## Foundation #4 (Continued)

...then the seller/server is within their rights to refuse service. Owners and operators need to ensure that their employees are backed up by the business and management when making these decisions.

#### For reference, carding is done by:

- Checking the expiration date. If it has expired, the ID may belong to someone else.
- Checking the date of birth. Be certain the customer is 21 years of age or older. In certain states, red vertical licenses are issued to individuals who were under the age of 21 at the time they received the license.
- Checking the person's appearance in the identification to see if it matches the customer. Do they match up by their height, weight, and eye color? Check for facial features, especially the nose line. The nose is the "fingerprint of the face."
- Checking if the ghost images are faded. A ghost image is a smaller image of the person's photo, and it's often semi-translucent.
- Checking if the ID shows alcohol drinking restrictions, which would be on the back of the ID.
- When in doubt, ask the customer key questions: What county do you live in?
  What's your zip code? What year did you graduate from high school? How do
  they spell your last name? The customer should be able to recite their
  answers easily.

Owners and operators should discuss potential scenarios with employees. Reinforce the message that carding is the responsibility of all employees who work in a capacity of selling and/or serving alcohol. Experienced... *Continued...* 

## Foundation #4 (Continued)

...employees have a better understanding of underage drinkers, fake IDs, and the risks, so they must help inexperienced staff in this area. When in doubt, your employees can card anyone at any time, and they shouldn't be afraid to recard. Remember: Never get into a fight over an ID, and never confiscate an ID without police or state direction. Any licenses left behind are considered abandoned. Taking the time to check IDs is critical, as the risk of not checking IDs is too great.

Naturally, all of the state-approved alcohol training courses from <u>Serving Alcohol</u> have an in-depth section that covers the proper process for checking IDs and its impact on the establishment.

Undeniably, safe money is created by owners, operators, and staff, and their ability to enforce responsible alcohol service, house policies, and carding, therefore reducing unforeseen possible dangers to staff and customers.



# Remember That Focusing on the Concept of "Safe Money" Can Create Money, Mutual Respect with Generations of Patrons, and a Safe Community.

Above all else is the safety of the community that you and your business serve and of which you are a member, and this comes before the possible ramifications of liability and lawsuits, loss of liquor license, bad publicity, and potentially the loss of the business. By looking out for customers and the community, owners and operators of businesses that sell and/or serve alcohol are securing a future and ongoing relationship with them.

Customers will continue to come back to the establishments where they feel safe and welcome, and they'll incorporate these venues into important life events, such as birthdays, anniversaries, and other celebrations and milestones. It'll become a tradition that's passed down from one generation of customers to the next. Indeed, caring and courtesy create safety for staff and customers. Safety creates respect. Respect creates a safe community. A safe community creates *safe money*.

Overall, safe money is a result of the five foundations that are outlined in this white paper.

In the end, safe money is created by all owners, operators, and staff, and it all begins with responsible alcohol training certification.



### **Thank You!**

Established in 2007, Serving Alcohol supports businesses and professionals that sell and/or serve alcohol (or who need food safety training). Our responsible alcohol training and certification programs help businesses responsibly sell and/or serve alcohol on-site or to-go, ensuring compliance, safety, and professionalism in the service industry. We're trusted by liability insurance carriers, and we currently serve more than 2,000 active business accounts around the United States.

Our state-approved certifications are designed for businesses and their entire staff, and our cost-effective, compliant training products and services go beyond the industry standards. For business accounts, we're a simple one-stop shop for training, staff/learner management, reporting, and certificate printing.

#### Contact Us! We're Here to Help.

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