

Mitigating and Aggravating Circumstances as described by [WAC 314-29.015\(4\)\(c\)](#)

Mitigating Circumstances

Established business practices and policies:

- Require all servers & security employees to hold valid MAST permits before starting employment
- Develop & enforce company policies specific to alcohol service to include consequences for staff violations
- Drug test & background check all employees
- Conspicuously post house rules establishing minimum rules of conduct & consequences for violations of same in on premises locations

Employee Training:

- Train employees on liquor laws prior to them working with alcohol
- Franchise training program
- Training for security staff

Business Operations:

- Having direct on-site supervision of employees
- Showing cooperation with local law enforcement
- Meet with local police or liquor officers to get an assessment of operational concerns and implementation of agreed upon plan for reducing risk
- If the licensee had prior work plans made in conjunction with liquor officers and police department and they can show the plans were implemented
- Change business operations to eliminate problems i.e. earlier closing hours, restricting types of identification accepted which have contributed to violations
- Implement specific programs to eliminate specific problems i.e.: Cops in Shops, private compliance checks
- Annually purchase an ID checking guide for all staff to use
- Conduct LCB authorized in house alcohol compliance checks
- Weekly or monthly employee meetings
- Licensee conducting unannounced visits to the establishment, and conducting checks during peak hours, or times when problems are alleged to occur
- Use of a roaming employee during peak business hours
- Long term history of compliance

Tools for success:

- Point of sale system which requires a date of birth to be entered for restricted product sales
- Purchase identification scanner for proof of age verification
- Use of “Today’s Date” signs, or use of other non-required signs to assist in policy compliance, age verification, and to ensure responsible conduct

General consideration:

- Use of fake ID (depending on the quality and/or acceptability based on rule)
- Unique circumstances present during the violation

Aggravating Circumstances

- Failing to cooperate with local law enforcement or liquor control board employees
- Engaging in two or more high risk activities leading up to a public safety liquor law violation such as:
 - being overcapacity
 - promoting cheap drink specials
 - having an inadequate staff to patron ratio in on premises locations
 - Failing to enforce established company policies with either staff or patrons
 - Refusal, denial or failure to take responsibility for actions of employees

Revised: August 15, 2011