Recreational Marijuana Worker Permit Education

Updated: July 2016
www.marijuana.oregon.gov

Unit 1 – Introduction and Overview

Introduction

This handbook was prepared by the Oregon Liquor Control Commission (OLCC) to provide all individuals working in the recreational marijuana industry with certain information required by law to meet the objectives of the Marijuana Education Course. ***All individuals who will be involved in handling recreational marijuana items are required to have a marijuana worker permit issued by the OLCC, this includes licensees.*** As part of the process for receiving a worker permit, you will be expected to take and pass an examination based on the contents of this handbook.

The OLCC

The OLCC is the state agency responsible for regulating the production, processing, wholesaling, and retail sales of marijuana items for recreational use in the State of Oregon. The OLCC issues marijuana licenses and marijuana worker permits, and oversees the Marijuana Education Course. The OLCC is responsible for ensuring that marijuana licensees and worker permittees understand and comply with the laws and rules regarding recreational marijuana. The OLCC works with other state and local entities, including the Oregon Department of Agriculture (ODA), the Oregon Health Authority (OHA), local government officials and law enforcement to enforce recreational marijuana laws and rules.

Marijuana Education Course

The Marijuana Education Course focuses on understanding the laws and rules regarding recreational marijuana, basic safe handling of marijuana items, checking identification and recognizing the signs of visible intoxication. The Marijuana Education Course is intended to provide the basic knowledge for applicants to receive a marijuana worker permit, and is not intended to cover all possible information necessary to safely participate in all aspects of the recreational marijuana market. For example, the Course does not cover specific information on marijuana extract or concentrate processing procedures, proper handling of compounds or other materials used in many marijuana businesses, or appropriate application of agricultural chemicals for growing plants; and training and information on those business-specific practices, as well as many other things, are the responsibility of individual licensed employers.

Marijuana Worker Permits

Below are a few general points about worker permits:

- Individuals must be ***at least 21 years old*** to obtain a permit.
- Anyone who handles marijuana, in any capacity, ***must*** have a permit including but not limited to individuals who: participate in the production, propagation, processing, securing or selling of marijuana items.
- If a licensee is involved in the production, propagation, processing, securing or selling of marijuana items they also need a marijuana worker permit.
- Lab employees and research certificate employees ***do not*** need worker permits.
- Permits are ***valid for five years*** from the date issued by the OLCC.
- Permittees may work in ***any licensed marijuana business*** in Oregon.
- Permits ***belong to the permittee***, and are not transferable.
- Licensees must be presented with a person's valid marijuana worker permit and verify the person's identity ***before allowing them to handle*** marijuana.
- Permittees are required to make their worker permits available at any time while on duty for immediate inspection by any OLCC regulatory staff or law enforcement officer. Therefore it is advisable to ***always keep your permit on you*** while you are working.
- A person who holds a marijuana worker permit must notify the Commission in writing within 10 days of any conviction for a misdemeanor or felony.

Recreational Marijuana Laws in Oregon

Oregon voters passed Measure 91 in November of 2014, which effectively legalized marijuana in the state. The Oregon legislature has since enacted a number of statutes which outline the general laws on recreational marijuana, including requirements for personal possession and use, licensing to produce, process, test and sell recreational marijuana, and made numerous changes to the Oregon Medical Marijuana Program (OMMP). In order to obtain a marijuana worker permit you must be familiar with some of these laws. Below are a few examples:

Only people 21 years and over can legally possess recreational marijuana.

There are limits to the amount of marijuana and marijuana products a person can legally have, both in your home and outside your home. For example, you can have 8 ounces of useable marijuana in your home, but only 1 ounce outside your home.

Marijuana cannot cross state lines. Even though marijuana is legal in Washington, you are not allowed by law to take marijuana outside of Oregon or bring marijuana into Oregon from another state.

Marijuana consumption is not allowed in public. You can only use marijuana at home or on private property. OLCC establishments that hold a liquor or marijuana license are considered public places and marijuana use is not allowed.

Driving under the influence of marijuana is illegal. It is important to be a responsible driver, if you drive while using or under the influence you will be arrested and/or ticketed.

Only OLCC licensed recreational stores and OMMP registered dispensaries may legally sell marijuana to consumers.

Unit 2 –OLCC Administrative Rules

The OLCC licenses recreational marijuana producers, processors, wholesalers, retail establishments and labs. OLCC recommends that you read the entire set of OLCC recreational marijuana administrative rules, as well as those adopted by Oregon Health Authority (OHA) and Oregon Department of Agriculture (ODA); please see www.marijuana.oregon.gov for links to this information.

Recreational Marijuana License Types

The OLCC issues the following licenses:

Producers

Producer licensees are allowed to grow marijuana; and may sell to producers, processors, wholesalers, and retail establishments. The amount of marijuana grown is monitored by the OLCC through mature flowering plant canopy limits. There is no limit to the amount of immature plants a producer may have, but immature plants must still be identified in batches. All marijuana is tracked in the CTS system starting at the producer level and throughout the licensing structure until final sale to a consumer.

Processors

Processor licensees have different endorsement types for creating marijuana products such as: Concentrates, Extracts, Edibles and Topicals. Each licensee will select the type of processing they plan to engage in through the OLCC application process, and are not permitted to engage in any other type of processing without first receiving a proper endorsement. Processors must have and follow very stringent operating procedures to ensure safe handling of products used in the extract or concentrate process. Edibles must be made in an ODA certified kitchen, and any extracts or concentrates used in edibles must be processed in an ODA certified kitchen.

Wholesale

A wholesale licensee has the ability to transport and store marijuana items for other OLCC recreational marijuana licensees, and can also buy marijuana items in bulk for sale to other licensees (but never directly to consumers).

Retail

A retail license is the only license type that allows the sale of marijuana items to consumers. Retailers are responsible for verifying the age of **every** customer, for **every** purchase. Retail sales may only occur between the hours of 7:00 am and 10:00 pm. A Retailer may only sell to a single customer in a single 24-hour period the following amounts:

- one ounce (28 grams) of usable marijuana;
- 16 ounces of solid cannabinoid product;
- 72 ounces of liquid cannabinoid product;
- five grams of cannabinoid extract or concentrate;
- four immature plants; or
- ten marijuana seeds.

Among many other restrictions, retail stores cannot provide free samples to customers, give away marijuana items, or provide discounts if the sale is made in conjunction with the retail sale of other items. Retailers may receive marijuana products from OLCC licensed producers, processors and wholesalers.

Labs

Marijuana testing laboratories must be licensed by the OLCC and accredited by Oregon Environmental Laboratory Accreditation Program (ORELAP) in order to test marijuana items for contaminants, molds, pesticides, and potency. All marijuana items are required to be tested by a licensed and accredited lab prior to being sold to a consumer.

Other Important Administrative Rules

In addition to the license types listed above, you should be familiar with the general rules regarding:

Packaging

All license types are allowed to package marijuana items. Each type of packaging and label will need to be approved by the OLCC prior to sale or transfer of the marijuana item. If you work with packaging you will need to follow certain rules including:

1) a package holding a topical, edible, concentrate, extract, or usable marijuana may be certified as child-resistant, but if it is not, that package must be placed into a child-resistant exit package before it leaves the store, 2) packaging cannot be attractive to minors, 3) packages must be labeled in accordance with OHA rules, and 4) packaging cannot have any untruthful or misleading statements.

Testing and Labeling

The OHA is responsible for adopting the testing standards and rules for labeling of marijuana items. All marijuana items will need to be tested prior to being sold to a consumer, and must be labeled so the consumer can easily read the ingredients, test results, potency and activation time of the product. Each label must also have the universal symbol, shown here, to make it obvious the product contains marijuana.

Activation time is the amount of time it is likely to take for an individual to begin to feel the effects of ingesting or inhaling a marijuana item. This will be labeled on the product and expressed by words or a pictogram. It is important to let customers know about the activation time, and what it means, as well as how long it will take for the THC to be felt.

Advertising

Licensees are allowed to advertise their businesses and products, but the following types of advertising are prohibited:

- Advertising that is considered attractive to minors
- Advertising that promotes excessive use
- Advertising that promotes illegal activity
- Advertising that presents a significant risk to public health and safety

Cannabis Tracking System (CTS)

As marijuana is grown, harvested, tested and transferred by licensees it is tracked in the CTS until it is sold to a consumer. The CTS is an important inventory tool required by law and helps the OLCC and licensees easily recall products if needed. Your employer will either enter the information directly into the system or use an Application Programming Interface (API) to connect inventory information to the CTS. Each licensee will have a

CTS administrator who will be able to train and answer any questions you may have about the CTS.

Transportation

All license types are allowed to transport marijuana items (either their own or, in the case of a wholesaler, product from other licensees) within the license structure. Each time marijuana items are transported, CTS will print a transportation manifest. The manifest will show how much product is being transferred, when it is transferred and where it is going. If you are going to be engaging in transportation activities, be sure that you have a transport manifest from CTS every time, as it will be critical in proving you are legally carrying marijuana items.

Retail Delivery

Retailers may request permission to deliver products directly to a consumer's residence. The specific process and requirements are outlined in the OLCC administrative rules. No deliveries can be made until the OLCC has approved the retailer to make deliveries. Also, you should familiarize yourself with those rules on delivery if you will be engaging in retail deliveries. It is important to remember that the person who accepts the delivery must be over 21 and must be the person who placed the order. Delivery vehicles can have no more than $3,000 of product at one time, and deliveries can only take place in the jurisdiction of the licensed retail establishment. For example, a retail establishment licensed in the city of Salem could only deliver to customers located within the Salem city limits.

Under the Influence while on Duty

Licensees and employees must not consume marijuana or be under the influence while on duty. An employee who has a current medical marijuana card may consume marijuana during his or her work shift on the licensed premises as necessary for their medical condition as long as the employee is alone, in a closed room, and not visible to others outside the room.

Violations and Sanctions

The OLCC rules contain a number of specific violations, each with varying levels of sanctions depending on the seriousness of the conduct. Below is a summary of the categories of violations, and potential sanctions associated with them. ***This is not an exhaustive list of the violations in these categories***. Sanctions may be the suspension or cancelation of a permit and/or a monetary fine. Monetary fines are $25 for each day of a suspension. You should review the rules carefully to understand all potential consequences associated with any actions that violate OLCC regulations.

Category I: These violations are the most serious, and would make a licensee or permittee ineligible to hold their license/permit privileges. Examples include being convicted of certain felonies or other crimes, operating differently than the license or permit allows (such as making consumer sales if you are not a retailer) importing or exporting marijuana items, making intentional false statements to the OLCC, or intentional destruction or

concealment of evidence. For these types of violations the OLCC will propose cancelation of your license and permit.

Category II: These violations are those that the OLCC views as creating a *present* threat to public health or safety. Examples include providing false information to the OLCC, failing to promptly admit law enforcement or OLCC regulatory specialists into a licensed retail premises, and intentional failure to verify the age of a minor. For these types of violations the OLCC will propose a 30-day suspension of your permit for a single first offense.

Category III: Category III violations are those the OLCC views as creating a *potential* threat to public health or safety. Examples include permitting a minor to enter a prohibited area, failure to verify the age of a minor (other than intentionally), sale of marijuana to a visibly intoxicated person, and consumption of alcohol, marijuana or other intoxicants while on duty. For these types of violations the OLCC will propose a 10-day suspension of your permit for a single first offense.

Category IV: Category IV violations are those the OLCC views as creating a climate conducive to abuses associated with the sale or manufacture of marijuana items. Examples include sales of marijuana outside of lawful hours, advertising violations, or removing, altering or covering up required signs. For these types of violations the OLCC will propose a 7-day suspension of your permit for a single first offense.

Category V: Category V violations are those the OLCC views as inconsistent with the orderly regulation of the sale or manufacture of marijuana items. Examples include permitting marijuana to be given as a prize. For these types of violations the OLCC will propose a 3-day suspension of your permit for a single first offense.

Multiple Violations = Higher Penalties: If a permittee has multiple violations within 2 years, that permittee can face increasingly harsh penalties up to and including cancelation.

Criminal and Civil Liability: The OLCC typically cites its licensees and permittees administratively. Administrative sanctions will affect your permit and/or your employer's license, but have no criminal consequences attached to them. However, the fact that the OLCC issues an administrative violation does not protect you or your employer from criminal or civil liability. Certain violations may warrant criminal prosecution as well. In some cases (particularly those involving sales to a visibly intoxicated person or to a minor that result in injuries), permittees and licensees can also face civil liability. Therefore, it is extremely important to follow all the rules at all times. If you ever have any questions about whether you are compliant, contact your local OLCC office for direction or further training, if needed.

Unit 3 - Checking Identification

It is illegal to sell or give ***recreational marijuana*** *to any person under 21.* All retailers ***must verify the age of every customer, for every purchase.***

Minor Postings

The OLCC requires that all licensees prominently display a sign that informs the public that no minors are allowed to work in or enter recreational marijuana businesses. The sign should read:

NO MINORS PERMITTED ANYWHERE ON THIS PREMISES

In some circumstances minor vendors and contractors (such as plumbers or electricians) who have a legitimate business purpose may be on the licensed premises, but only long enough to perform their business duties.

Identification

Only marijuana retail businesses are allowed to sell marijuana and marijuana products to consumers, so those businesses and their employees are vital in preventing minor's access to marijuana items. Even in other marijuana businesses, however, there may be reasons to know how to check IDs; for example, your employer may offer tours of the facilities, and you need to ensure that no one under 21 enters the premises. Additionally, you may not work at a retail shop right now but you may want to in the future, and your worker permit is usable in all marijuana businesses. Therefore, ***everyone*** with a worker permit needs to understand how to properly check identification, and the importance of doing so correctly.

Remember, the law requires that you check ID before making a sale of any marijuana item to ***any*** consumer. You are responsible for ***accurately checking ID*** to keep from selling or making marijuana available to persons under 21 years of age. If you have *any* doubt about a person's age <u>or</u> whether their identification is valid, ***do not*** sell marijuana to that person or allow them entry into the licensed business.

Types of acceptable IDs

There are 4 types of acceptable identification to verify age in Oregon. These are known as ***stand-alone IDs*** because each alone is sufficient proof of age:

1. Driver License with a Photo

A valid driver license from any U.S. state or the District of Columbia with a photo is acceptable.

2. State-issued ID Card

A valid ID card issued by any U.S. state or the District of Columbia is acceptable as long as it includes the person's photo, name, date of birth, and physical description.

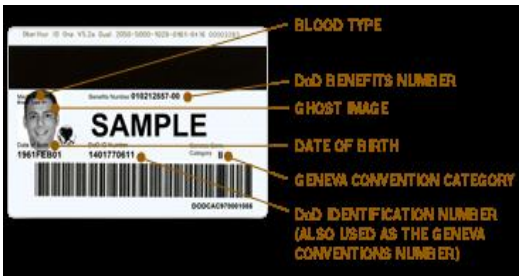
CAUTION: *Beware of mail order ID cards that say "State Resident" or "Personal ID." These cards are made to look like official IDs, but they are not. If you can't tell whether the card was issued officially by a state, don't accept it.*

3. US Military ID (valid in two forms)

The ***old-style ID*** says "ARMED FORCES OF THE UNITED STATES" across the top and has a black and white photo. The service seal is to the right of the photo and will vary by branch of service. The signature is on the front of the card; date of birth and physical description (only on older versions) are on the back. Active duty/active duty reserve cards are green; retired reservists not yet age 60 and dependent of reserves cards are red; retiree cards are blue; and dependent cards are tan.

The ***new-style ID*** card is a Common Access Card (CAC) and is a smart card with an embedded computer chip. The card has a portrait (rather than landscape) format, a white background, and a color photo. Issue and expiration dates are on the front of the card; birth date, magnetic strip, and bar code are on the back. The ID does not contain a visible physical description or signature.

Both the old-style and new-style military ID are acceptable stand-alone ID.



4. Passport

A valid passport that you can ***read*** and ***understand***, including a U.S. passport card, is acceptable ID. Valid passports issued by any country will have at least the following:

- ✓ the name of the issuing country
- ✓ the person's full name
- ✓ a passport number
- ✓ the person's nationality
- ✓ date of birth
- ✓ sex
- ✓ date of expiration
- ✓ photograph
- ✓ signature (on US passports)

Remember that all forms of ID you accept must be valid and readable. Expired ID is not valid and is not acceptable as legal proof of age. And if you can't read the ID because it's worn or damaged, do not accept it.

Checking ID

Here are some tips and techniques for checking ID. Remember, it is the customer's obligation to present ID which verifies their age: ***they must prove they are 21 or older.*** *You can always* ask for secondary ID if you are unsure.

The *I.D. Checking Guide* is a useful guide covering the licenses and other IDs of all 50 states plus the District of Columbia. It is published each year by the Driver's License Guide Company (1-800-227-8827).

If you want more information on identifying minors and checking ID, call your local OLCC office. OLCC staff can provide training for you at your place of business if you request it.

"U-CARD" Identification Aid

Think of the term "U-CARD" as a memory aid for the following procedure which can be used with most IDs.

Unaltered:

- Always have the customer remove the ID from his or her wallet and hold the ID with your index finger on the top edge and your thumb on the bottom edge. This prevents any of the information from being covered up.

- Use the fingers of your other hand to check for any raised edges around the photograph, bumpy surfaces by the picture, irregular lamination, obvious cuts or slashes, the thickness and quality of the ID, and more.

- Turn the ID 90 degrees to look for number and letters that are out of line with the rest of the print.

Current:

- Check the expiration date first. Expired ID is **not** valid, and you cannot accept it as legal proof of age even if it looks like the person. If the ID is expired, you can stop right there. Return the ID and refuse service.

Age:

- Check the date of birth; it must show the person is 21 or older. In 2016, the customer should have been born in 1995 and already had his or her birthday. In 2017, it will be 1996; in 2018 it will be 1997; and so on. Look for any alterations of the date of birth.

Readable:

- Be sure you can read and understand the ID. If you cannot read an ID in a foreign language or the ID is worn or damaged so that parts are unreadable, do not accept it.

Description:

- People can lose or gain weight and their hair and eye color (with contact lenses) may change, but the height should be consistent with the information on the ID. Look closely at the distance between the person's eyes; this usually doesn't change even if the person's weight or hairstyle did.

- Refuse to sell if the photo or description does not match the person presenting the ID, even if they say they've changed their hairstyle, lost weight, etc.

Questioning the Customer to Verify ID

With any system of checking ID, you can ask the customer questions, such as:

- What is your address?
- What is your zip code?
- What is your middle name?
- What is your date of birth?
- How old are you now?
- What is your astrological sign?
- What year did you graduate high school/college?
- Are you an anatomical donor?
- Do you have a second piece of ID? (If they say no, but you were observant and noticed other ID in their wallet when they gave you the ID you are checking, you can assume the one in your hand is not valid.)

You don't need to know the answers to all of the questions, but observe the way the customer responds, are they confident, hesitant, nervous, taking too much time to respond. This will give you clues to whether they are lying or not.

Remember, if you have *<u>any doubt</u>* that a piece of ID is valid, do not accept it and do not sell recreational marijuana to that person.

Oregon IDs

Oregon IDs are the kind you will see most often, so you should become familiar with their layout. Both valid ***Oregon driver's licenses*** and ***Oregon DMV ID cards*** have the features described below.

Oregon Driver License: Mid 2007 – Present

Oregon driver's licenses issued between mid-2007 to present look like this:

Notice the rainbow colored lines and laminate extend to the edges of the card, and the plastic is thinner but stronger.

Oregon Minor Driver's License

Cards issued to minors include age notices for alcohol and tobacco vendors, and appear like this:

The age notices are printed in a red border around the photo. In addition, the minor's photo is placed on the right side of the card, instead of the left. "UNDER 21 UNTIL" and "UNDER 18 UNTIL" dates are in the red border surrounding the photo.

Limited Duration IDs

The Oregon DMV issues limited duration driver licenses and ID cards to non-citizens who are in the U.S. on any type of temporary basis, such as persons on student and employment visas. They appear as this:

The expiration date of these IDs is based on the cardholder's authorized length of stay, not on the person's birth date. Provisional licenses issued to youth under the age of 18 are good for at least one year or until the person turns 18. These IDs are acceptable stand-alone IDs and look the same as other DMV IDs except they have LIMITED TERM printed on the bottom-right front of the card.

Veteran IDs

Military veterans may request their veteran status be designated on their Oregon DMV driver licenses and ID cards:

These IDs are acceptable stand-alone IDs and look the same as other DMV IDs except they have VETERAN printed above the issue date on the front of the card.

Interim Paper IDs

Beginning in the summer of 2007, the Oregon DMV began issuing interim paper driver licenses and ID cards to new and renewing applicants.

Customers will carry this interim ID until they receive their permanent plastic card within 5 to 10 days. The interim IDs are acceptable stand-alone identification because they contain all the information required on official ID.

The interim card looks like a black-and-white copy of the permanent ID, its only security feature is that attempts to photocopy it will produce the word “VOID” on copies. Businesses may choose not to accept these paper cards; businesses can adopt house policies that are stricter than the law

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Exercise: Examine Your Own ID

Look at your driver license or DMV ID card and look for the following features:

- ***PHOTO:*** The background is blue. The state seal overlaps the photo. Adult photos are on the left. Minor photos are on the right with a red border containing “Under 21 until” and “Under 18 until” dates. Both adult and minor IDs have a smaller, ghost image of the photo.

- ***LAMINATION:*** Lamination on front and back printed with “Oregon” in optically variable ink that glows under ultraviolet light. Before summer 2007: Lamination stops about 1/8 inch from the edge of the card; it does not completely cover the card. Beginning summer 2007: Lamination completely covers both sides of the card.

- ***HEADING:*** “OREGON” appears at the top of the card and is in blue on driver licenses, green on ID cards, and red on CDL’s. The capitol building appears as a watermark under the data fields beside the photo.

- ***DATES:*** Years are given in 4 digits. On adult IDs, date of birth is just to right of the photo; expiration date is on the left edge of the card immediately below the heading. **On minor IDs, the date of birth is on the left edge of the card**; the expiration date is just to the left of the photo immediately below the heading.

- ***SIGNATURE:*** Digital signature on back of card under lamination.

Confiscating False ID

You do ***not*** have a legal duty to confiscate ID you believe is false, and the OLCC does ***not*** recommend it.

If you decide to confiscate an ID, turn it over to the OLCC, your local law enforcement, or the Oregon DMV as soon as possible. Include the name and address of your business, and the date, time, and reason the ID was taken. For example, the picture on the ID did not match the person presenting it, the ID is torn, the person could not accurately repeat information on the ID such as birth date, address, etc.

Minor Decoy Program

Oregon will use minor decoys to ensure that licensed businesses do not sell recreational marijuana to minors. Both the OLCC and law enforcement throughout the state routinely conduct minor decoy operations as part of their alcohol compliance programs, and these will be conducted much the same in their marijuana compliance programs. Often OLCC and local law enforcement engage in joint decoy visits, which could mean that permittees and licensees who do not pass could be subject to both criminal and administrative violations.

OLCC minor decoy operations follow clear standards, including:

1. The minor decoy will be under 21
2. The minor decoy will not use a false ID
3. The minor decoy will not lie about their age (if asked how old they are, the decoy may say, “How old do you think I am?”, or “You’ve got my ID” or otherwise avoid answering, but they will not give a false age)

All marijuana retail stores are subject to a decoy visit. All marijuana retail licensees and marijuana worker permittees can be held responsible for sales to a minor decoy. To successfully pass a minor decoy operation, make sure you always take the following steps:

- Check the ID of ***everyone***
- Look - ***really look*** - at the ID and the age listed
- ***Do not sell*** to someone who does not have ID
- ***Never*** sell marijuana to a minor
- Ensure the person presenting the ID is the same person on the ID

Unit 4 - Visibly Intoxicated Persons and Intervention Techniques

Visible Intoxication

Visible intoxication is when a person's physical and mental abilities are diminished by alcohol or drugs to a point that it can be observed by others. Permittees cannot sell marijuana items to a customer who is visibly intoxicated.

Permittees are not expected to know a customer's blood alcohol level, or know for certain that a customer has consumed some other form of intoxicating substance, but they are expected to recognize visible intoxication**.** You ***must not sell marijuana to anyone showing signs of visible intoxication*** no matter what substance the person may have used to become intoxicated.

There are many signs of a visibly intoxicated person; see the table below for 50 easily recognizable signs. If the person shows a ***combination*** of several of these signs, or exhibits a significant ***change in behavior***, that could be a strong indication that the person is intoxicated.

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50 Signs of Intoxication

Appearance

1. Bloodshot, glassy, or watery eyes
2. Flushed face
3. Droopy eyelids
4. Blank stare or dazed look
5. Twitching or body tremors
6. Disheveled clothing

Speech

7. Thick, slurred speech
8. Loud, noisy speech
9. Speaking loudly, then quietly
10. Rambling train of thought
11. Unusually fast or slow talking
12. Slow response to questions or comments
13. Repetitive statements
14. Bravado, boasting
15. Making irrational statements

Attitude

16. Annoying other guests and employees
17. Argumentative
18. Aggressive or belligerent
19. Obnoxious or mean
20. Inappropriate sexual advances
21. Overly friendly to other guests or employees
22. Boisterous

Behavior

23. Swaying, staggering, or stumbling
24. Unable to sit straight
25. Careless with money
26. Difficulty making change
27. Restless
28. Depressed or sullen
29. Crying or moody
30. Extreme or sudden change in behavior
31. Overly animated or entertaining
32. Crude, inappropriate speech or gestures
33. Drowsiness or falling asleep
34. Lack of focus and eye contact
35. Difficulty standing up
36. Unusual walk
37. Can't find mouth with glass
38. Falling down or falling off of chair
39. Difficulty lighting cigarettes
40. Lighting more than one cigarette
41. Clumsy
42. Difficulty remembering
43. Spilling drinks
44. Disoriented
45. Agitated, anxious
46. Grinding teeth
47. Vomiting

Other

48. Odor of alcohol, marijuana or chemicals
49. Excessive perspiration
50. Repeated trips to restroom or outside area

Intervention Techniques

***Intervention is a responsible sales technique that promotes responsible sales and helps keep the community safe*.**

Intervention is a ***plan of action*** that includes things such as asking people for ID or refusing to sell when a customer shows signs of visible intoxication. It is easier to plan and practice actions you will take, and what you will say, before you have to actually deal with that situation at work.

Professional Intervention Attitudes

Many sales professionals use these guidelines when refusing sales:

- ✓ ***Be courteous and concerned*.** People are more cooperative when they feel they are being respected and helped, rather than being put down. You might try a statement such as, "I want to see that you get home safely."

- ✓ ***Be confident*.** Confidence convinces people you are doing the right thing. Act confident even if you don't feel especially confident -- no one will know the difference!

- ✓ ***Be tactful*.** Never accuse a customer of being intoxicated. State simply that you cannot sell them any marijuana and suggest they come back another time.

- ✓ ***Be discreet.*** Make every effort not to embarrass the customer in front of friends or business associates. If possible, speak to the person privately.

- ✓ ***Be firm.*** Do not allow the impaired customer to talk you out of the rational decision you have made. Use a phrase that gets the message across and stops an argument in its tracks like, "I'm sorry I can't sell you any marijuana -- it's against the law."

Three reminders for dealing with difficult customers are:

- ✓ ***Remain calm*.** It helps to remember that the customer is the one with impaired judgment, not you.

- ✓ ***Get help*.** Tell the manager or other sellers. Sometimes even the hostile customer's friends can help diffuse the situation. Occasionally you may even need to call the police.

- ✓ **Avoid a fight**. Fights are bad for business and could result in other penalties or liability.

Intervention Techniques

There are many intervention techniques and systems to evaluate customers. Each business may have their own techniques and systems depending on their business model, but the following guidelines could be helpful in developing successful intervention practices.

1. ***Smile, make eye contact*** with your customers, and ***take time*** checking ID.
2. ***Chat*** with customers ***before*** selling marijuana to them ***to determine*** if they are intoxicated.
3. ***Know and watch*** for the 50 likely ***signs of visible intoxication*** and ***combinations*** of these signs.
4. When you refuse to sell to a customer, ***tell your manager and co-workers***.
5. When appropriate, ***have a co-worker*** with you when you have to refuse service.
6. Make it clear ***you are in control*** without being overbearing and scaring off customers.
7. Use ***peer pressure*** if possible by asking for support from the customer's friends.
8. Offer ***alternative transportation*** to keep intoxicated customers from driving.
9. If an ***intoxicated customer*** insists on ***driving*** threaten to ***call the police*** and identify the driver and the vehicle.
10. ***Follow through*** on your threat if the intoxicated customer drives away.

Keep ***two principles*** in mind in choosing your words:

1. ***Avoid "you" statements*** that sound accusatory or judgmental ("You're drunk," "You're stoned," "You already seem high on something"). These statements are more likely to offend and provoke the customer.

2. ***Use "I" statements*** instead, that put the focus on you and why you're refusing to sell ("I could get in trouble with the law and lose my worker permit or our business could lose its license," "Legally, I'm not allowed to sell you any marijuana products", "I have to follow the law", "My job would be at risk", "I can't.")

Consequences for Selling to Visibly Intoxicated Persons

The OLCC takes its mission to protect public safety seriously, and preventing sales to visibly intoxicated persons is one of its highest priorities. As such, the OLCC typically treats sales to visibly intoxicated persons as a Category III violation, which for a first offense can carry a penalty of up to a 10-day suspension of the license and/or worker permit privileges (or civil penalties where appropriate). Additionally the OLCC may also increase the sanction depending on the circumstances of the violation.

Taking a hard line on refusing sales to visibly intoxicated persons not only protects your permit, it protects your employer's license, helps reduce the chances of accidents and injuries due to intoxication, and serves to increase public trust and confidence in this new industry. If you or your employer would like more information or training on recognizing signs of intoxication and preventing sales to visibility intoxicated persons, contact your local OLCC office for assistance.

Unit 5 – Safe Handling of Marijuana Items

Recreational marijuana businesses are in many ways just like any other business in Oregon, where workplace safety should be a top priority. As an employee it is important that you are aware of your workplace rules and regulations, and before you begin work you should familiarize yourself with your workplace safety protocols and procedures. If you have questions about your safety, or the safety of other employees, ask your employer or manager for additional instruction and training.

Below are some general pointers:

- Make sure before you start work you are aware of your ***employer's rules and operating procedures.*** If you have concerns about whether your employer's rules and operating procedures comply with OLCC rules and regulations, bring that to your employer's attention. If your employer does not correct any deficiencies, contact your local OLCC office.

- Always maintain adequate ***personal cleanliness***, such as washing your hands before starting work and frequently throughout the day, and anytime they are contaminated. Make sure your employer has provided sufficient clean restrooms, handwashing stations, and other sanitation equipment necessary for the type of work being performed and number of employees. If you have concerns about this raise it with your employer, or contact the Oregon Bureau of Labor and Industries (BOLI) or Oregon Occupational Health and Safety Association (O-OSHA) for more guidance.

- If you are ***sick***, have a ***communicable disease***, or have an ***open wound or sore***, do not handle marijuana items and let your employer or manager know right away.

- Make sure your ***working area is clean, safe and suitable*** for the type of work you are expected to perform. If you have concerns about the general sanitation or workplace safety, bring them to your employer's attention. If your employer does not correct any deficiencies, you may want to contact the Oregon Bureau of Labor and Industries (BOLI) or Oregon Occupational Health & Safety Division (Oregon OSHA) for more guidance.