



health promotion

Responsible Party Hosting

An intoxicated member gets into a car crash on their way home from a CAF-sponsored Christmas party. Could the CAF be liable? Which answer is true?

- a) CAF is not liable because it was the member's choice to drink.
- b) CAF is not liable if it got everyone to sign a waiver that they will not hold CF responsible for any damages.
- c) CAF could be sued and found liable.
- d) Only the caterer is liable, since they are the ones who served the alcohol.

If you host a party and your friends or colleagues are drinking alcohol:

- a) All you have to worry about is cleaning up once they leave.
- b) You are responsible for the safety and actions of your guests until they are sober.
- c) You are responsible for the safety and actions of your guests until they arrive home.
- d) It's important that your guests feel comfortable; so go ahead and join in the fun.

Why is responsible hosting important?

1. Reduces injuries, violence and death
2. Reduces Liability
3. Reduces the potential for everyday alcohol-related problems
4. Social Responsibility
5. CAF: Low-Risk Drinking Guidelines

Liability

Providers' Liability

Relates to “Responsible Serving Practices”

Not serving alcohol to minors

Not serving alcohol to a person who they know or ought to have known is already intoxicated

Covered in “Common Law Principles” in all provinces except Quebec (Civil Code)

“Common Law” (case law) – **requires** employers to **exercise a “Duty to Care”** for their employees

Occupiers' Liability

Refers to alcohol-related injuries that occur on the company's property.

Liability Test

Was there “foreseeable” risk?

What “reasonable” steps were taken to reduce or eliminate the risk?

Was there a “duty to care” on the part of the employer?

Ignorance of the law is no defence

Waivers do not “waive” common sense

Both the organization and individuals can be held liable.

Occupational Health & Safety

Federal Bill C-45

Employers, including individual supervisors, or anyone in the organization who is deemed to be in a position of influence, can be held criminally liable for neglecting to address a workplace hazard.

Influential Intoxication Factors

- How fast the alcohol is consumed
- Whether food has been consumed
- Size and body build
- Female
- Age
- Other substance use
- Setting or circumstance
- Tolerance