

**WAC 314-11-040 Permissible duties of an employee under 21 years of age on a licensed premises.** A person must be 21 years of age or older to be employed in the sale, handling, or service of liquor, except as provided in this chapter.

(1) Per RCW 66.44.340 and RCW 66.44.350, persons between 18 and 21 years of age may perform the following duties:

	<b>Duties 18, 19, and 20 year old employees may perform, as long as there is a person 21 years of age or older on duty supervising the sale of liquor</b>	<b>Duties 18, 19, and 20 years old employees may not perform</b>
(a) In a grocery store or beer/wine specialty shop:	<ul style="list-style-type: none"> <li>■ Sell, stock, and handle beer and wine; and</li> <li>■ Deliver beer and/or wine to a customer's car with the customer (for the purposes of this rule, there is no minimum age requirement for an employee of a grocery store or a beer/wine specialty shop to deliver beer and/or wine to a customer's car with the customer).</li> </ul>	Supervise employees who sell, stock, or handle beer and/or wine.
(b) In a spirits retail business:	<ul style="list-style-type: none"> <li>■ As long as there are at least two supervisors at least 21 years of age on duty, persons 18, 19, and 20 years old may sell, stock, and handle spirits.</li> <li>■ Deliver spirits to a customer's car with the customer (for purposes of this rule, there is no minimum age requirement for an employee of a spirits retailer to deliver spirits to a customer's car with the customer).</li> </ul>	Supervise employees who sell, stock, or handle spirits.
(c) In an establishment that sells liquor for on-premises consumption:	<ul style="list-style-type: none"> <li>■ Take orders for, serve, and sell liquor in areas classified as open to persons under 21 years of age; and</li> <li>■ Enter areas designated as off-limits to persons under 21 years of age to perform duties such as picking up liquor for service in other parts of the establishment; cleaning up, setting up, and arranging tables; delivering messages; serving food; and seating patrons; provided the employee does not remain in the area any longer than is necessary to perform the duties.</li> </ul>	Functions of a bartender, including: <ul style="list-style-type: none"> <li>■ Pouring spirits or mixing cocktails;</li> <li>■ Drawing beer or wine from a tap or spigot;</li> <li>■ Opening or pouring beer or wine in an area classified by the board as off limits to any person under the age of 21; and</li> <li>■ Providing an employee spirits or beer by the pitcher or glass, or wine by the carafe or glass for delivery to a customer.</li> </ul>
(d) In a spirits retail business:		Supervise employees who sell, stock, or handle spirits.

(2) Per RCW 66.44.316 and 66.44.318, the following persons that are 18, 19, or 20 years of age may remain on licensed premises or portions of premises that are restricted from persons under 21 years of age, but only during the course of his or her employment:

(a) Persons performing janitorial services during the hours when there is no sale, service, or consumption of liquor on the premises;

(b) Employees of amusement device companies for the purpose of installing, maintaining, repairing, or removing any amusement device;

(c) Security or law enforcement officers and firefighters during the course of their official duties and if they are not the direct employees of the licensee; and

(d) Professional musicians, per WAC 314-11-045.

[Statutory Authority: RCW 66.08.030, 66.20.330, and 66.24.710(7). WSR 24-04-042, § 314-11-040, filed 1/31/24, effective 3/2/24. Statutory Authority: RCW 66.08.030 and 66.08.050. WSR 12-17-006, § 314-11-040, filed 8/1/12, effective 9/1/12. Statutory Authority: RCW 66.08.030, 66.28.100, 66.28.040, 66.28.090, 66.44.010, 66.44.070, 66.44.200, 66.44.270, 66.44.291, 66.44.292, 66.44.310, 66.44.316, 66.44.318, 66.44.340, and 66.44.350. WSR 02-11-054, § 314-11-040, filed 5/9/02, effective 6/9/02. Statutory Authority: RCW 66.08.030, 66.28.100, 66.28.040, 66.28.090, 66.44.010, 66.44.070, 66.44.200, 66.44.270, 66.44.291, 66.44.292, 66.44.310, 66.44.316, 66.44.318, 66.44.340, 66.44.350, and chapter 66.44 RCW. WSR 01-06-014, § 314-11-040, filed 2/26/01, effective 3/29/01.]