

Minimum Ages for On-Premises Servers and Bartenders

Policy Description

All states specify a minimum age for employees who serve or dispense alcoholic beverages.¹¹ Generally, the term “servers” refers to waitpersons, and “bartenders” refers to individuals who dispense alcoholic beverages. These restrictions recognize that underage employees, particularly those who are unsupervised, may lack the maturity and experience to adequately verify age and to resist pressure from underage peers to complete illegal sales.

States vary widely in terms of minimum age requirements for servers and bartenders. In some states, the minimum age for both types of employee is 21, but others set lower minimum ages, particularly for servers. No state permits underage bartenders while prohibiting underage servers. Some states permit servers or bartenders younger than 21 to work only in certain types of on-premises establishments, such as restaurants, or to serve only certain beverage types, such as beer or wine. Underage servers and bartenders may be allowed only if legal-age managers or supervisors are present when underage persons are serving alcoholic beverages or tending bar. State laws setting a minimum age for employees who sell alcohol at off-premises establishments are described in the “Minimum Ages for Off-Premises Sellers” policy.

Status of Age of Server Policies

Age of Servers

As of January 1, 2020, Alaska, Nevada, and Utah specify that on-premises alcohol servers of beer, wine, or distilled spirits must be 21 or older. Only one state (Maine) allows 17-year-olds to be servers. Eight states specify that servers be at least 19 or 20, and the remaining 39 states allow 18-year-old servers. For an example of how these policies impact a specific beverage, please see Exhibit 2.14, showing the minimum allowed age to serve beer by state.

Age of Bartenders

Minimum ages for bartenders are generally higher than for servers across the states. Twenty states limit bartending to persons 21 or older. Twenty-six states allow 18-year-olds to bartend for at least some beverage types, whereas only one state (Maine) allows 17-year-olds to bartend. Four states set the minimum age for bartenders at either 19 or 20 years old.

Manager or Supervisor Presence

Nine states require that a supervisor or manager be present when an underage seller conducts an alcoholic beverage transaction.

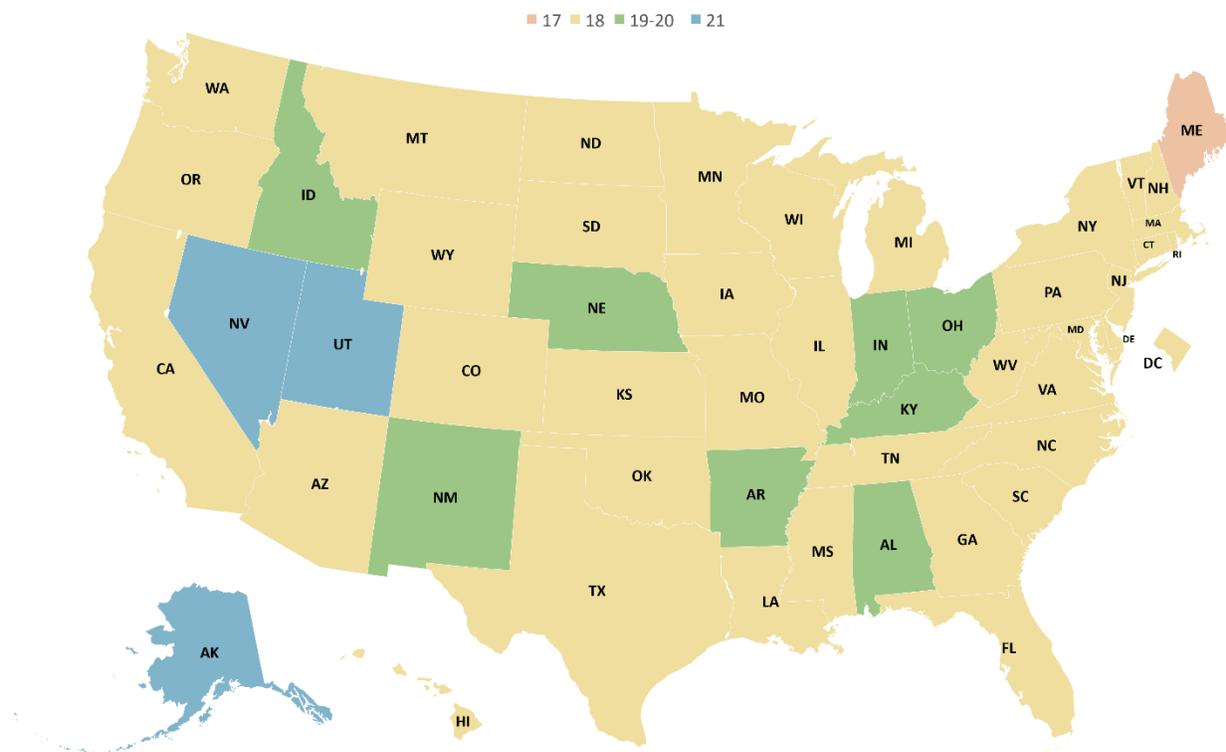
Trends in Age of Server Policies

State policies for ages of servers and bartenders in on-premises establishments have been generally stable over the last decade. Between 2003–2020, Arkansas lowered its minimum age

¹¹ Note that throughout this chapter, “states” refers to the 50 states and the District of Columbia.

for servers from 21 to 19, and North Dakota, Arizona, and Delaware lowered their age for servers from 19 to 18.

Exhibit 2.14: Minimum Ages for On-Premises Servers (Beer) as of January 1, 2020



Data Sources and Citations

All data for the “Minimum Ages for On-Premises Servers and Bartenders” policy were obtained from the APIS website: <https://alcoholpolicy.niaaa.nih.gov/apis-policy-topics/minimum-ages-for-on-premises-servers-and-bartenders/38>. APIS provides further descriptions of this policy and its variables, details regarding state policies, and a review of the limitations associated with the reported data.

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