

WHAT YOU NEED TO know.

The Hawai'i Smoke-Free Law becomes effective November 16, 2006, The American Cancer Society's Great American Smokeout. The following rules and exceptions provide an overview of the law. Please call or consult the website for details specific to your business.

The new rules:

- 1) **No smoking in enclosed public spaces.** Examples include bars, restaurants, clubs, airports, theaters, government facilities, and stadiums. Indoors or outdoors, if the space is at least partially enclosed by walls, smoking is prohibited.
- 2) **No smoking throughout restaurants and bars, including on patios, decks, and lanais.** There is also no smoking at outdoor events, such as luaus, where food and drinks are served.
- 3) **No smoking in places of employment.** This means anywhere someone works, including all offices, and also private homes that double as businesses.
- 4) **No smoking within 20 feet of doorways, windows, and ventilation intakes of the above areas.**

A few exceptions:

- 1) Hotels may reserve 20% of their rooms for smokers, as long as those rooms are clustered on the same floor and the smoke doesn't circulate to the other rooms.
- 2) Long-term care facilities may allow smoking in private rooms, at the written request of the occupant.
- 3) Smoking is allowed in fully open-air workplaces, such as parks, outdoor construction sites, and beach stands.



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live, WORK, *breathe.*



*The New Hawai'i Smoke-Free Law:
A Guide for Restaurants and Bars*

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In 2006, Hawai'i became the 14th state to pass a law protecting us from the significant health risks of secondhand smoke. Beginning November 16th, all bars and restaurants, including open-air facilities, will be smoke-free. Managers and operators need to understand the law and comply with it. This brochure will answer most of your questions.

For more information, visit www.HawaiiSmokeFree.com or call 211, the Aloha United Way helpline. You may read the entire law at www.hawaiiisokefree.com.

PROTECTION FOR EVERYONE WHO breathes.

A Benefit, not a Ban.

The law's purpose is not to ban smoking or to force smokers to quit. It doesn't limit the sale of tobacco products or their use in private. The law's purpose is to defend the right of workers, customers, and the general public to breathe smoke-free air. It's a simple matter of health and fairness.

Secondhand Smoke: It's no Joke.

You don't have to put a cigarette in your mouth to suffer the consequences of smoking. The smoke that comes off a burning cigarette, cigar, or pipe, and the smoke exhaled by the person smoking, contain all the same deadly poisons as smoke directly inhaled: 250 toxins in all, including at least 50 cancer-causing substances. Need proof? 53,800 nonsmokers die of smoking-related illnesses every year in the U.S.

Waitresses have the highest rate of lung and heart disease of all female workers, according to a study in the Journal of the American Medical Association. Working for two hours in a smoky bar is like smoking four cigarettes; a non-smoking waitress on a ten-hour shift might have a pack-a-day habit and not even know it.

Secondhand smoke isn't an annoyance—it's a serious health threat. Workers deserve the same protection from second-hand smoke that they do from other on-the-job hazards.



WHAT YOU NEED TO do.

Owners, managers, and operators of all businesses in Hawai'i are responsible for complying with the new law. It's easy. Here's what you have to do:

- 1) Post a sign.** It must read "Smoking prohibited by law" or show the international "No Smoking" symbol.
- 2) Educate your employees.** This brochure should take care of the heavy lifting. Just pass it around.
- 3) Inform violators.** If someone lights up in a no-smoking area, politely request that they put it out or that they go outside and away from the building to smoke. Call the police only if a violator becomes threatening or belligerent.

Businesses that don't comply with the law may be fined \$100 for a first offense, \$200 for a second offense, and up to \$500 for subsequent violations. Also, the business risks having operating licenses and permits revoked by the state.



- * ISN'T SMOKING IN BARS JUST PART OF OUR CULTURE?**
Once upon a time, disposing of sewage in the streets was part of our culture, too. As people become more aware of unhealthy activities, rules about public conduct sometimes change.
- * SHOULD I PROVIDE A SMOKING BREAK ROOM FOR EMPLOYEES?**
No. In fact, the law doesn't allow it.
- * CAN PEOPLE SMOKE IN PRIVATE OFFICES?**
No. Private offices are part of your workplace, and smoking is prohibited throughout the workplace.
- * HOW DO I DEAL WITH PEOPLE WHO WANT TO SMOKE?**
If someone lights up in a no-smoking area, politely request that they put it out or that they go outside and away from the building to smoke.
- * WHAT IF THE CUSTOMER REFUSES TO STOP?**
Use common sense. Restaurant and bar workers occasionally must cope with belligerent customers for any number of reasons. You wouldn't allow a customer to shout profanities or harass another patron. This is no different.
- * WHAT IF I CHOOSE NOT TO ASK CUSTOMERS TO STOP SMOKING?**
Businesses that don't comply with the law may be fined \$100 for a first offense, \$200 for a second offense, and up to \$500 for subsequent violations. Also, the business risks having operating licenses and permits revoked by the state.
- * HOW WILL THIS LAW AFFECT BUSINESS?**
Studies of other parts of the country with similar laws indicate that the laws have a neutral or even a positive impact on business. Other studies show that in smoke-free workplaces, employee productivity increases and facility maintenance costs decline.
- * ARE RESOURCES AVAILABLE TO HELP BUSINESSES EDUCATE EMPLOYEES OR INFORM CUSTOMERS?**
Yes. Call the Aloha United Way Helpline at 211, contact the Department of Health at 586-4613, or visit www.hawaiiisokefree.com.
- * I WANT TO QUIT SMOKING. ADVICE?**
Call the Hawai'i Tobacco Quitline at 1-800-QUIT-NOW (1-800-784-8669).