



## Frequently Asked Questions Expanded Clean Indoor Air Act Work Places

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The expanded Clean Indoor Air Act will go into effect July 24, 2003. This act expands the 1989 Clean Indoor Air Act and further protects all New York state residents at work and in public from deadly secondhand smoke.

**Q: What is secondhand smoke?**

**A:** Secondhand smoke is a combination of a smoker's exhaled smoke and the smoke from a burning cigarette. It contains more than 4,000 substances, including 200 known poisons and 43 cancer-causing substances and kills an estimated 62,000 nonsmokers each year in the United States.

**Q: How can I file a complaint?**

**A:** An employee or a member of the public can file a confidential complaint against a business that violates the law by contacting your local health department or district health office. You can find the number in your local telephone book or at [www.health.state.ny.us](http://www.health.state.ny.us).

**Q: What are the penalties?**

**A:** Any employer who allows smoking in an area or establishment that is regulated by this law can be subject to a civil penalty of up to \$2,000 for each violation.

**Q: Do I need to provide a smoking break room for my employees?**

**A:** No. In fact, the law prohibits employers from providing a smoking break room for employees. Businesses with separately ventilated rooms for their smoking employees, including OSHA compliant smoking rooms, cannot allow smoking these rooms or anywhere else in the building.

**Q: Can I smoke in my private office in a commercial work establishment?**

**A:** No.

**Q: How are tobacco retail businesses and cigar bars defined by the law?**

**A:** A tobacco retail business' primary activity is the retail sale of tobacco products and accessories and the sale of other products is merely incidental. A cigar bar must have been in existence prior to Jan. 1, 2003 and must generate 10 % or more of its total annual gross profits from the sale of tobacco products.

To learn more about the Expanded Clean Indoor Air Act, call 1-800-458-1158, Ext. 2-7600 or contact your local health department or district health office visit [www.health.state.ny.us](http://www.health.state.ny.us).

If you smoke and want to quit, or know someone who wants to quit call the New York State Smokers' Quit Line at 1-866-NY-QUITS (1-866-697-8487) for free helpful information, or visit [www.nysmokefree.com](http://www.nysmokefree.com).

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