



Good Health is Good Business:

A Tobacco-Free Workplace Policy Guide



TABLE OF CONTENTS

Introduction	1
Impact of Tobacco Use	2
Benefits of a Tobacco-Free Workplace	4
Tobacco-Free Workplace Grounds: A Step-by-Step Guide	5
Determine rationale and scope of policy	5
Convene a multidisciplinary work group	7
Develop an implementation plan and finalize policy language	7
Identify available cessation resources for employees	7
Announce the plan to go tobacco free	8
Communicate the policy to employees, customers/clients and visitors	8
Post positive and prominent tobacco-free signage	8
Monitor and evaluate the policy	9
How your local Tobacco Control program can help	9
Appendix A: Sample Tobacco-Free Policy	10
Appendix B: Frequently Asked Questions	11
Appendix C: What About the Neighbors?	13
Appendix D: Make the Most of Tobacco-Free Signage	15



The New York State Department of Health funds local contractors throughout New York State to support and reinforce tobacco-free norms through youth action and community engagement. Efforts are evidence-based, policy-driven, and cost-effective approaches that decrease youth tobacco use, motivate adult smokers to quit, and eliminate exposure to secondhand smoke.

INTRODUCTION



More and more businesses are discovering the benefits of making their worksites tobacco free, including improvements in employee health and productivity and significant savings to their bottom line.

The costs associated with tobacco use—in both lives and money—are well-established. Each year in the United States, over 480,000 people die from smoking including approximately 41,000 non-smokers due to exposure to secondhand smoke. In addition, more than 16 million Americans live with a disease caused by smoking.¹

The total economic cost of smoking is more than \$300 billion a year, including nearly \$170 billion in direct medical care for adults and more than \$156 billion in lost productivity due to premature death and exposure to secondhand smoke.²

Employers incur a considerable share of the overall costs of tobacco use. A comprehensive analysis found that employees who smoke cost an employer on average \$5,816 more per year than a non-smoking employee due to increased absenteeism, loss of productivity related to nicotine addiction, smoke breaks, and extra health care costs.³

Tobacco-free workplaces protect employees, visitors, and clients from the harmful effects of secondhand smoke, support the efforts of smokers who want to quit, and increase the number of smokers who are motivated to quit.

Good Health is Good Business: A Tobacco-Free Workplace Policy Guide highlights the benefits of a tobacco-free workplace environment and provides step-by-step guidance to make your business property tobacco free. This guide can help you put thousands of dollars back into your business and improve the lives of your employees.

IMPACT OF TOBACCO USE

Tobacco use remains the leading preventable **cause of disease and death** in the United States.⁴

- ▶ Tobacco-related illness accounts for about 480,000 deaths each year in the United States.⁵
- ▶ In New York State there are 28,000 deaths every year from causes attributable to smoking.⁶
- ▶ Tobacco use causes chronic lung disease, coronary heart disease, and stroke, in addition to cancer of the lungs, larynx, esophagus, mouth and at least 9 other cancers.⁷



"There is no risk-free level of exposure to secondhand smoke."

– U.S. Surgeon General

Cigarette butts are a **major and persistent source of litter.**

- ▶ Even though 86 percent of smokers consider cigarette butts litter, three-quarters of them reported disposing of butts on the ground or out of a car window at some point.⁸
- ▶ Since the 1980s, cigarette butts have consistently comprised 30 to 40 percent of all items collected in annual international coastal and urban cleanups.⁹
- ▶ The waste from cigarettes can leach toxic chemicals into the environment, leading to land, water and air pollution. Studies have shown that cigarette waste is harmful to wildlife.¹⁰
- ▶ Litter has a number of negative consequences, including substantial costs to business and government, and reduced property values. Estimates for the cost of litter show that \$11.5 billion are spent on abatement and clean-up activities each year, and this number probably underestimates the true costs.¹¹



"Since we enacted a tobacco-free policy, there is less tobacco litter and unwanted second-hand smoke exposure and our tobacco-free policy has made it easier for staff who smoked to quit."

– Eric Pietrowski,
VP of Operations & Production,
Kris-Tech Wire, Rome NY





Secondhand smoke is hazardous to human health.

- ▶ The U.S. Surgeon General concluded that there is no risk-free level of exposure to secondhand smoke.¹²
- ▶ Secondhand smoke has been designated as a known human carcinogen by the Environmental Protection Agency and the Public Health Service's National Toxicology Report.¹³
- ▶ Even brief exposures to secondhand smoke may increase the severity of asthma attacks and lower respiratory tract infections and has adverse effects on the heart.¹⁴
- ▶ Exposure to secondhand smoke increases the risk of coronary heart disease by approximately 30 percent.¹⁵
- ▶ Secondhand smoke is responsible for approximately 41,000 deaths among nonsmokers each year in the United States.¹⁶

level
sure
d smoke."
Surgeon General



Exposure to secondhand smoke anywhere has negative health impacts, and exposure to secondhand smoke occurs at significant levels outdoors.

- ▶ Irritation from secondhand smoke begins at levels as low as 4 micrograms per cubic meter, and in some outdoor situations this level can be found as far away as 13 feet from a burning cigarette.¹⁷
- ▶ To be completely free from exposure to secondhand smoke in outdoor places, a person may have to move nearly 25 feet away from the source of the smoke, about the width of a two-lane road.¹⁸
- ▶ Smoking cigarettes near building entryways can more than double air pollution levels as compared to background levels, with maximum levels reaching the "hazardous" range on the US EPA's Air Quality Index.¹⁹



Electronic cigarettes (including vape pens and mods) pose a danger both to the health of the user and to those exposed to the aerosol emitted from these products.

There is conclusive evidence that in addition to nicotine, most e-cigarette products contain and emit numerous potentially toxic substances including heavy metals, ultrafine particulates and cancer-causing agents.²⁰

While not all of the long-term health effects of using electronic cigarettes are known, there is substantial evidence that long-term exposure to e-cigarette aerosols could increase risk of cancer and heart disease and have a negative impact on both male and female fertility.²¹

Smokeless tobacco is not a safe alternative to smoking and also causes death and disease.

- ▶ Smokeless tobacco use causes leukoplakia, a disease causing white patches to form in the user's mouth that can become cancerous.²²
- ▶ Smokeless tobacco products are known to cause cancers of the mouth, tongue, cheek, gum, esophagus and pancreas.²³
- ▶ The regular use of snuff doubles the user's risk of cardiovascular disease and death.²⁴



Benefits of a Tobacco-Free Workplace



- ▶ **Protects employees, visitors and clients** from the harmful effects of secondhand smoke exposure.
- ▶ **Lowers absenteeism due to smoking-related illnesses.** People who smoke, on average, miss 6.2 days of work per year due to sickness compared to nonsmokers, who miss 3.9 days of work per year.²⁵
- ▶ **Increases worker productivity.** Tobacco use is a leading cause of worker lost production time — more than alcohol abuse or family emergencies. Lost production time estimates for workers who report smoking at least one pack of cigarettes per day were 75 percent higher than for nonsmoking employees or for employees who had previously quit.²⁶
- ▶ **May reduce direct healthcare costs.** Employees exposed to secondhand smoke on the job are 12 percent to 19 percent more likely to get lung cancer.²⁷ Exposure to secondhand smoke increases the risk of heart attack by 25-35 percent.²⁸ Tobacco-free policies reduce heart disease and respiratory infections among employees.²⁹
- ▶ **May be basis for negotiating lower health, life, and disability premium costs** as employee tobacco use is reduced.
- ▶ **Reduces the risk of fires.**
- ▶ **Reduces maintenance costs** by eliminating tobacco product litter, including cigarette butts.
- ▶ **Increases the curb appeal of your worksite** and makes a better impression on clients and visitors.
- ▶ **Increases the number of tobacco users who are motivated to quit** and supports the efforts of tobacco users who do attempt to quit.
- ▶ **Promotes consistent and equitable treatment of employees,** whether or not they are tobacco users.

"We continue to hear reports from employees who say that their impetus to quit smoking was working in a smoke-free worksite!"

— Cynthia Reddeck-Lidestri, VP Employee Health and Wellness, Lidestri Food and Drink, Fairport NY

"People look forward to bringing their families and friends to our facility knowing we keep it a tobacco-free zone."

— Nicole Purcell, Recreation Operations Manager, Greek Peak Mountain Resort, Cortland NY

"Our tobacco-free policy has created a cleaner, safer, and more pleasant work environment for our office staff and visitors. I was concerned with the effect that this policy could have on employee morale and it turned out to be very positive."

— Ramon & Maria Rodriguez, Owners, RAMA Real Properties LLC, Hagaman NY

Tobacco-Free Workplace Grounds: A Step-by Step Guide

Making a successful transition to a tobacco-free workplace is a process that can take between 3-12 months or longer depending on an employer's location, size, and readiness for change. The timeline should allow adequate time to accomplish the suggested steps which, when followed, increases buy-in and compliance with the policy.

Recommended Steps at a Glance:

- ▶ Determine rationale and scope of policy
- ▶ Convene a multidisciplinary work group
- ▶ Develop an implementation plan and finalize policy language
- ▶ Identify available cessation resources for employees
- ▶ Announce the plan to go tobacco free
- ▶ Communicate the policy to employees, customers/clients and visitors
- ▶ Post positive and prominent tobacco-free signage
- ▶ Monitor and evaluate the policy

Determine rationale and scope of policy

Policy implementation is much easier when management articulates a clear rationale for the policy and lays out the general provisions of the policy that are supported by that rationale. Therefore, it is recommended that an administrative team including President/CEO, Human Resources, Directors, and Communications representatives should, at a minimum, decide the following: Policy rationale and goal, scope, non-compliance consequences, and effective date.

Rationale and Goal

The rationale should state simply, clearly and concisely, your company's reasons for adopting a tobacco-free policy. If possible, the rationale should be aligned with your company mission statement. Common reasons for a tobacco-free policy include improving employee health, providing a safe and healthy work environment for everyone, and promoting respect for others and the environment.

Scope: Use of what products will be prohibited?

Management should determine what tobacco products will be prohibited.

- ▶ Combustible tobacco products such as cigarettes, cigars, cigarillos, and pipes (including water pipes or hookah)
- ▶ Combustible non-tobacco products such as herbal cigarettes and some products used in hookah or water pipes



"We're committed to the health and safety of our employees and visitors. That is why we implemented a tobacco-free grounds policy. We no longer have issues with tobacco use on the property as smoke-free has become the social norm here."

– Andrea Packer, Vice President of Marketing, Hill & Markes, Amsterdam NY

"Our health plan promotes smoking cessation programs for our members so a ban on smoking in our workplace was natural for us."

– Holly Snow, Community Health Engagement Director, Excellus BlueCross BlueShield, Rochester NY

- ▶ Electronic cigarettes including vape pens, mods and e-hookah
- ▶ Non-combustible tobacco products including chewing tobacco, dipping tobacco, snus, gutka and dissolvable tobacco products

In addition to prohibiting the use of combustible tobacco products, it is recommended that the use of products such as herbal cigarettes, electronic cigarettes and non-combustible tobacco also be prohibited. Herbal cigarettes contain known carcinogens; electronic cigarettes emit an aerosol that frequently contains carcinogens and other harmful ingredients; and the use of non-combustible tobacco products threatens employee health, undermines employee cessation efforts, and creates toxic litter.

"Before we went 100% tobacco-free, we had designated smoking areas, but came to realize that it undermined our commitment to employee health."

– Michelle Haney, Employee Engagement Manager, SEFCU, Albany NY

Scope: Where will tobacco use be prohibited?

Policies that make the workplace property 100% tobacco free are the most effective in eliminating unwanted exposure to secondhand smoke. Because property lines are usually easier to define, 100% tobacco-free policies also facilitate voluntary compliance and enforcement.

Designating a particular area for tobacco use or allowing tobacco use inside personal vehicles may seem like reasonable accommodations for employees who use tobacco—however there are good reasons to avoid these allowances.

- ▶ Designated tobacco use areas may not eliminate unwanted exposure to secondhand smoke and electronic cigarette emissions unless they are located in a very remote area of the property, far away from pedestrian and vehicle traffic.
- ▶ Designated tobacco use areas generate tobacco product-related litter, requiring ongoing cleanup and maintenance.
- ▶ Designated tobacco use areas are likely to undermine a tobacco user's motivation to quit and their ability to quit and stay quit.



- ▶ Designated tobacco use areas are often more difficult to define, undermining voluntary compliance and making enforcement more challenging. In addition, over time, tobacco users tend to disregard the initially defined boundaries and encroach on areas intended to be tobacco free.

"We are pleased to offer a healthier environment for our tenants and their employees, but most importantly for all our guests. The cooperation in implementing the No Smoking Environment among our tenants has been impressive."

– Doreen Jensen, Administrative Assistant/CFO,
Keuka Business Park, Jerusalem NY

For these reasons, many businesses that initially developed a policy with designated tobacco use areas have since eliminated them.

Compliance

With implementation of an effective communication plan including adequate signage, tobacco-free policies tend to be self-enforcing, with high compliance rates. If possible, use existing disciplinary procedures to respond to non-compliance. Otherwise, be clear and specific about how violations will be handled.

Ensure that all employees understand the policy and their responsibilities, if any, for addressing non-compliance.

Areas to address include:

- ▶ Have employees that use tobacco and want to quit been provided with information and access to cessation services?
- ▶ Will security be expected to address non-compliance? What other employees will have responsibility for addressing non-compliance of employees/visitors/vendors?
- ▶ What training or assistance is needed to ensure that those responsible for addressing non-compliance are equipped to do so?
- ▶ Do supervisors understand how to deal with a non-compliant employee and what help they can expect from Human Resources?
- ▶ Who can employees contact if they wish to report tobacco use in unauthorized areas?

Effective Date

Determining the date that the policy will take effect should consider:

- ▶ Sufficient lead time to allow employees to develop personal plans for how they will comply with the new policy. Some employees may choose to reduce their tobacco use or make quit attempts, for example.
- ▶ Sufficient time for employees responsible for addressing non-compliance to understand their respective role(s) in implementing the policy. Some may need training to ensure that they are prepared to fulfill their responsibilities to the new policy.
- ▶ Adequate time to address logistics such as the preparation and installation of signage, dismantling of existing tobacco use areas, and promotion of cessation resources.

It may be helpful to have implementation recommendations from the work group (see below) before deciding upon a firm effective date. For example, the work group may recommend conducting an employee survey to collect information on employee attitudes and behavior related to tobacco use to inform the creation of an effective implementation plan. Adequate time to complete identified tasks should be provided.

If the time frame works, consider making the effective date the same as an internal milestone such as the company anniversary or a national observance such as the American Cancer Society Great American Smoke-Out (3rd week of November), World Health Organization World No Tobacco Day (end of May), or Campaign for Tobacco-Free Kids Kick Butts Day (mid-March).

Convene a multidisciplinary work group.

Convening a work group with diverse employee representation is the best way to identify and address concerns upfront and to secure organizational buy-in for the long-term. Members should include stakeholders from all areas of your business including, but not limited to: human resources, senior administrators, grounds/facilities management, section/department heads, labor groups, security staff, and smokers as well as non-smokers. Work group members should be appointed or solicited as necessary. An employee skilled at facilitating work groups and managing projects should lead the group to ensure the process keeps moving efficiently. The work group should meet frequently to complete the following steps in a timely manner.

Develop an implementation plan and finalize policy language.

The work group's purpose is to develop and execute an implementation plan for the new policy including developing the written policy, communication strategies, signage plan, identifying and promoting cessation resources, assisting staff in addressing non-compliance, and determining a process for monitoring and evaluation. Work group decisions and recommendations are subject to administrative approval to ensure that they align with the proposed policy rationale and scope.

The work group should craft language that reflects the desired provisions. The policy itself should be clear and concise and include, at a minimum: Rationale & Goal, Definitions, Scope, Compliance and Effective Date. A sample policy template is included as **Appendix A**.

Identify available cessation resources for employees.

Provide detailed information to employees about cessation resources available to help them quit successfully, including the benefits provided to employees through the company's existing health plan, if applicable. Inform your employees of cessation resources available through community resources, and your insurance provider. Consider providing employees with on-site cessation groups, access to online cessation resources from the workplace, and/or nicotine replacement therapy (NRT).

Two excellent online resources are the *New York State Smokers' Quitline* and the Truth Initiative's *Become an Ex* program.

"When smokers trying to quit see tobacco use, it triggers cravings. I want our business to be a healthy and safe place for everyone to enjoy."

— Vincent Zaba, Owner, Brick House Bakery, Cobleskill NY

"Thanks to the wealth of cessation support and resources available through my employer, I just celebrated two years smoke-free!"

— Miranda DeLisa, SEFCU Branch Manager, Cortland NY



The New York State Smokers' Quitline (1-866-NY-QUITS) provides free and confidential evidence-based cessation services to New York residents who want to stop tobacco use. Coupled with cessation coverage available through your company's health plan, employees who utilize the New York State Smokers' Quitline are more likely to be successful in their quit attempts. The Quitline offers:

- ▶ Telephone coaching in English and Spanish. Translations through a Certified Language Line are available for other languages.
- ▶ A starter kit of FREE nicotine replacement medications (NRT) for eligible tobacco users, including those using electronic nicotine delivery systems.
- ▶ Quit Coaches for free cessation support and assistance with developing individualized quit smoking plans.
- ▶ Information and resources to quit tobacco and nicotine addiction available through nysmokefree.com.
- ▶ NRT coverage for at least two quit smoking attempts per year (subject to availability).

BecomeAnEx.org is a free online program that offers many of the same services as the Quitline, including a customized quit plan, interactive guides and tools, expert advice and tips, and the support of a community of tobacco users who are also trying to quit. BecomeAnEx is a collaboration of the Mayo Clinic and the Truth Initiative.

Announce the plan to go tobacco free

Administrative support for the policy is crucial to its success. For this reason, it's recommended that the policy plan be announced through a formal written communication from the company owner/president/or CEO.

Transitioning to a tobacco-free worksite also provides an opportunity for media coverage that puts your business in a positive light. Consider issuing a press release or hosting a press conference to publicly announce your reasons for going tobacco free.

Consider making the announcement on a date that celebrates an internal milestone such as the company anniversary or on a national observance such as the Great American Smoke-Out or Kick Butts Day.

Communicate the policy to employees, customers/clients, visitors

Communicating your policy well in advance of the effective date will help build support, give you the opportunity to fully address questions and concerns, and will likely increase compliance later on. Developing and disseminating an FAQ concurrent with the policy is a good way to proactively address the predictable questions

and concerns that arise and to ensure that all employees receive consistent messaging. A sample FAQ is included as **Appendix B**.

Be sure to communicate expectations to supervisors about what their specific responsibilities are with regard to implementation and compliance. Encourage supervisors to have discussions with their staff, and prepare them to field staff questions and concerns.

Keep employees informed about the details of the company policy, changes to health plan coverage, and the availability of services to help them quit tobacco use. Use your company's standard communication channels such as the intranet, payroll stuffers, company newsletter, company website, posters, displays, presentations, information kits, brown bag lunches, employee orientation/handbook, and staff/management meetings.

Informational materials prominently located in the reception area(s) can help inform non-employees (visitors, vendors, customers/clients) that the policy change is forthcoming and that it applies to them.

If you're making your property 100% tobacco free and your property borders other businesses or homeowners, the work group should consider the impact of the new policy on neighbors and the surrounding neighborhood. It's in no one's interest to have your employees transferring their tobacco use from your property to your neighbor's property. Informing your neighbors of your plans and soliciting their input can help prevent problems. See **Appendix C** for additional guidance in reaching out to neighbors.

Post positive and prominent tobacco-free signage

Signs that communicate a positive message (ex: "This property is tobacco free, thank you for your cooperation") may foster better compliance than signs that simply state "No tobacco use on premises." Be sure the signs also clearly indicate what tobacco products are prohibited.

Signage should be strategically located to best ensure that all those visiting your campus will be informed that the property is tobacco free, such as placement of large "Welcome to our tobacco-free property" signs at points of entry. It is also a good idea to place signage, at least

"Our tobacco-free outdoors signs have been a wonderful reminder to the hundreds of people that use our facility weekly and have significantly reduced the occurrences of on-campus tobacco use."

— Rev. Mark Kimpland, Pastor,
Endwell United Methodist Church, Endwell NY

"We were in full support of corporate's decision to go tobacco free, but we had no idea where to start. One call to our local tobacco-free partner and we got the support, tools and information we needed to guide us through a smooth and successful implementation."

– Jennifer Smith, Marketing Director,
Crossgates Mall, Albany NY

temporarily, where tobacco users currently congregate. See **Appendix D** for how to make the most of your signage.

Monitor and Evaluate the Policy

A thoughtful and strategic communications plan is the best route to maximizing voluntary compliance with the policy. Early on in the transition period, reminding violators of the policy and requesting that they not use tobacco on the property is appropriate. For repeat violators, it may be necessary to impose consequences in order to gain compliance.

A good monitoring plan should therefore include mechanisms for gathering information about compliance/non-compliance rates and how consistently employees are fulfilling their responsibilities to the policy (security, supervisors, administration, etc.), including how disciplinary procedures are being carried out. Data collected from ongoing monitoring will help you identify and respond to problems quickly and decisively. The problems will not go away and they are likely to worsen without administrative intervention.

Evaluations can also help identify strengths and weaknesses of your facility's tobacco-free policy. Establish a process to review your policy at least once a year after it goes into effect, through employee surveys, regular staff meetings, etc.



How the New York State Tobacco Control Program Can Help

Local Tobacco Control staff members are available in every county in New York to help you every step of the way. To augment the information provided in this guide, we can provide:

- ▶ Telephone, email or in-person technical assistance, including presentations or informational sessions.
- ▶ Samples of employee outreach materials, implementation timelines, employee survey tools, etc.
- ▶ Help in planning a policy kick-off event or press conference, including issuing a press release, securing speakers, etc.
- ▶ Assistance identifying and accessing cessation services for your employees.
- ▶ No-cost tobacco-free signage for your property.

Local tobacco control partners have led both large and small local businesses through a smooth and simple process to reach their tobacco-free policy goals.

They have the tools and experience to help you, too!

Visit TobaccoFreeNYS.org to find a list of tobacco control programs by county.

APPENDIX A: SAMPLE TOBACCO-FREE POLICY

RATIONALE & GOAL

Tobacco use is the leading cause of preventable death and disability in the United States. The U.S. Surgeon General has stated that there is no risk-free level of exposure to secondhand smoke; even brief exposure can be dangerous. The Environmental Protection Agency classifies secondhand smoke as a known human carcinogen. Electronic cigarettes emit an aerosol that can contain toxic substances including known human carcinogens. Tobacco product consumption produces hazardous byproducts and waste which, when littered, is toxic to people and the environment.

[Company Name] desires to provide a healthy, comfortable, and safe working environment for employees, vendors and visitors. The goal of this tobacco-free policy is to create a healthy and respectful environment by reducing exposure to secondhand smoke and toxins emitted by electronic cigarettes, and to promote tobacco cessation.

DEFINITIONS

"Tobacco product" means any product made or derived from tobacco, or which contains nicotine, such as cigarettes, pipes, cigars, cigarillos, hookah and smokeless tobacco products such as chew, spit, dip and snuff; herbal cigarettes. "Tobacco Product" does not include drugs approved by the federal Food and Drug Administration for tobacco cessation.

"Electronic Cigarette" means any electronic device that, when activated, produces an aerosol that may be inhaled, whether or not the aerosol contains nicotine, such as e-cigarettes and vape pens. "Electronic Cigarette" does not include drugs approved by the federal Food and Drug Administration for tobacco cessation.

"Company Property" means all buildings, grounds, or vehicles owned, leased, operated, controlled, or supervised by [Company Name].

SCOPE

The use of a Tobacco Product or use of an Electronic Cigarette is prohibited on Company Property, including in a private vehicle located on Company Property.

This policy applies to all [Company Name] employees, contractors and visitors.

COMPLIANCE

Adherence to this policy is the responsibility of all [Company Name] employees, clients, and visitors. Employees who do not conform to this policy are subject to disciplinary action.

Questions related to the policy and reports of non-compliance can be directed to [Department and Title of Contact: _____]

EFFECTIVE DATE

This policy will go into effect on [DATE].

Revised February 2020

APPENDIX B: FREQUENTLY ASKED QUESTIONS

Throughout the implementation process, employees or visitors may raise questions regarding your tobacco-free policy, and the responses below will help to ensure that consistent and accurate information is provided.

Q: Why is the company going tobacco free?

A: The tobacco-free policy is intended to provide a healthy, respectful environment for employees, visitors, and vendors. Tobacco use, smoking, and exposure to secondhand tobacco smoke are significant health hazards. Under the Environmental Protection Agency (EPA) Guidelines, secondhand smoke is a known human carcinogen and is known to cause heart disease, cancer, respiratory issues and irritation of the eyes and nose. A tobacco-free environment is also a more supportive environment for people who want to or have already made the choice to quit.

Q: Why does the proposed policy include smokeless tobacco?

A: Smokeless tobacco is harmful to users and smokeless tobacco by-products contain at least 24 carcinogenic chemicals, creating a health and safety risk for maintenance staff. There are no safe forms or levels of tobacco use.

Q: Why are electronic cigarettes, vape pens and mods, included?

A: Electronic cigarettes are largely unregulated products that have few requirements for ingredient disclosure, accurate labeling, or quality control. Despite vaping industry claims, e-cigarettes have been determined to be neither safe nor effective at helping smokers quit. The aerosol they emit can contain a variety of toxins, including carcinogens, and that's why we support a tobacco-free policy that includes all electronic products.

Q: Why can't we have smoking huts that are designated outdoor locations for tobacco use?

A: Policies that restrict tobacco use in certain areas, but allow it in others, undermine the goal of preventing unwanted exposure to secondhand smoke and e-cigarette emissions which pose known health hazards. The best way we can protect visitors and employees from unwanted exposure to secondhand smoke and aerosols is to prohibit tobacco use on the entire property.

Q: It's my/our right to use tobacco. You can't take away my right to smoke.

A: There is no constitutional right to smoke or use tobacco. A tobacco-free policy does not take away an individual's choice to use tobacco; it simply limits where a person may choose to use it.

Q: How can you justify a policy that oppresses the "minority group" of smokers?

A: Individuals who smoke do represent a minority group in terms of numbers in the U.S. and likely in most workplaces. However, smokers are not a category of people protected under the Equal Protection Clause of the Constitution. Likewise, smoking is not protected under the Due Process Clause of the Constitution. In addition, it could be argued that the lack of a comprehensive tobacco-free policy oppresses the majority of employees and visitors (those that do not use tobacco) by failing to prevent their exposure to unwanted and toxic secondhand smoke.

Q: Why tobacco use? Why not focus on other major health issues like obesity and diabetes?

A: It's difficult to identify a health and safety issue that poses a greater threat to health and well-being than tobacco use. Tobacco use remains the leading cause of preventable death and disease in the U.S. Each year, more than 480,000 people die from tobacco-related causes, more than die from suicide, murder, HIV/AIDS, alcohol use, illegal drug use and motor vehicle crashes combined. Unlike many other health issues, one person's choice to use tobacco can directly affect the health of others.

Q: There are so many other pollutants in the air from cars, homes, landscaping machinery and power plants – who cares about secondhand smoke? We can't eliminate pollution, so why bother?

A: The Environmental Protection Agency classifies secondhand smoke as a "known human" carcinogen. There are only fifteen other pollutants that have this designation, including asbestos, radon, and benzene, and only secondhand smoke has actually been shown in studies to cause cancer at typical environmental levels. Secondhand smoke poses a real and preventable health risk which can largely be mitigated by a comprehensive tobacco-free policy.

APPENDIX B: FREQUENTLY ASKED QUESTIONS

Q: Am I required to quit using tobacco?

A: No. Our goal is to create a healthier, tobacco-free work environment and we encourage employees who use tobacco products to take advantage of the tobacco cessation programs and aids that we offer. However, employees are not required to quit tobacco use but simply required to comply with the provisions of the policy.

Q: Where on the property does the tobacco-free policy apply? Is tobacco use allowed inside cars?

A: Tobacco use is prohibited in all areas of the property, inside and outside, including inside private vehicles that are located on company property. All parking structures and parking lots owned or operated by the company are covered by the tobacco-free policy.

Q: Can employees and visitors use nicotine-replacement therapy products like gum, lozenges, or patches on the campus or while at work?

A: Yes. Tobacco users are encouraged to use these products to make it easier to manage their nicotine cravings while at work and to help them comply with the tobacco-free policy.

Q: What about the safety of employees and clients who choose to smoke and must go off campus, especially at night?

A: Safety is a concern for everybody, tobacco users and non-users, both on and off work property. Leaving work property to use tobacco products does not put a person at any greater risk than leaving the property for any other reason. Current smokers who are reluctant to leave the property can consider the use of Nicotine Replacement Therapy (nicotine patches, gum, or lozenges) to help them manage nicotine cravings.

Q: If an employee has to walk farther to reach a property or location where they can use tobacco, will they get more break time?

A: No. This would be unfair to co-workers and reduce the effectiveness of our workplace.

Q: What help can I get to quit using tobacco?

A: There are many cessation resources available to you.

- ▶ Call New York State Smokers' Quitline: 1-866-NY-QUITS (1-866-697-8487).
- ▶ Visit the New York State Smokers' Quitsite: <http://www.nysmokefree.com/>
- ▶ Talk to your doctor about medications available to help you quit.
- ▶ [Other resources and/or incentives available through employer insurance, EAP, etc.]

Q: What is my responsibility as a supervisor/manager related to the tobacco-free policy?

A: Supervisor/Management responsibilities include:

- ▶ Understand and follow the policy yourself.
- ▶ Discuss the policy with your supervisees and encourage their questions.
- ▶ Enforce the policy uniformly and fairly with all employees as well as visitors and vendors.
- ▶ Support your employees' efforts to inform visitors and other employees about the policy, resources and options.
- ▶ Be respectful of the employees who use tobacco, letting them know about the available resources to help them comply with the policy (tobacco cessation programs, nicotine replacement therapy).

Q: How will the policy be enforced?

A: Our expectation is that all employees will cooperate to keep our property tobacco free. Signage will help to inform visitors and vendors of the tobacco-free policy; those who are seen using tobacco after the policy's launch date will be informed/reminded of the policy and asked to stop using tobacco on the property. Non-compliant employees will be subject to disciplinary action.

Q: What should I do if I see someone using tobacco on our grounds?

A: Employees who see individuals using tobacco on workplace grounds are asked to inform these individuals politely about the tobacco-free policy. Individuals who do not feel comfortable approaching someone violating the policy should contact their immediate supervisor or department head. During this transition period, we ask that all employees treat each other with dignity and respect, and cooperate to maintain a healthy work environment.

Q: Who should I talk to about questions or concerns that I have about the tobacco-free policy?

A: Your opinion and feedback are very important to us, and we want to help you understand the policy and answer any questions you may have. Questions and feedback about the policy should be directed to

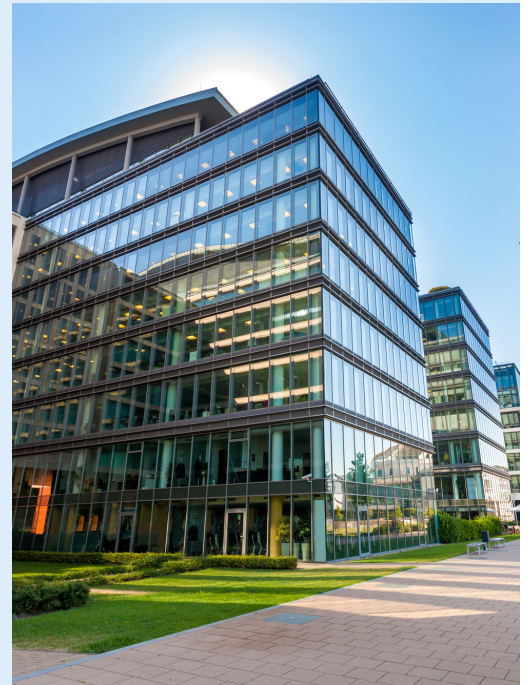
APPENDIX C: WHAT ABOUT THE NEIGHBORS?

IF YOUR PROPERTY BORDERS OTHER BUSINESSES OR HOMEOWNERS, THE IMPACT OF YOUR TOBACCO-FREE POLICY ON NEIGHBORS MAY BE A CONCERN.

It's in no one's interest to have your employees and clients transferring their tobacco use from your property to your neighbor's property. Your neighbors are unlikely to welcome either cigarette litter or the congregation of tobacco users in front of their properties.

The best way to prevent your policy from creating problems for your neighbors is to involve them throughout the policy development and implementation process. Take the same steps with neighbors as you have with employees and clients: Reach out well before the policy becomes effective, explain your rationale, and invite a conversation.

Offer a personal contact should neighbors have questions or concerns. If you're located in a residential neighborhood, ask if you can speak at a homeowner's association meeting. If you're in a business district, you might reach out to local business owners through your local chamber of commerce. Opening the lines of communication early on in the process is crucial to maintaining good relations in the community. You may even want to invite neighbors to the kick-off celebration or award prizes purchased from neighboring businesses.



Ask your employees to be ambassadors and good neighbors by treating surrounding public areas and private properties with respect. This means that employees are expected to avoid littering, including cigarette butts and other trash, and to avoid congregating on all properties adjoining your buildings.

Most organizations and businesses that go tobacco free say that the anticipation of problems with going tobacco free was almost always worse than the subsequent reality. But the more proactive you are in anticipating and preventing potential problems from actually occurring, the more successful you will be.



SAMPLE LETTER TO NEIGHBORS

DATE

NAME

TITLE

ADDRESS

CITY, STATE ZIP CODE

Dear NAME:

Effective DATE, COMPANY NAME will be implementing a tobacco-free policy at all of our worksites, including ADDRESS OF LOCATION THAT BORDERS THEIR PROPERTY. The policy will apply to clients, visitors, vendors and employees. This means that as of DATE, the use of all tobacco products and the use of electronic cigarettes will not be permitted anywhere on our property, including in personal vehicles located on our property.

Our decision to go tobacco free is an extension of our commitment to provide a healthy, respectful environment for both employees and clients. COMPANY NAME is developing programs for our employees who choose to quit using tobacco products, but we are not requiring employees or clients to stop using tobacco.

We want to ensure that our step toward a healthier workplace environment does not impact negatively on you or your business. We expect our employees to keep your property free of tobacco use and tobacco litter, and we're confident that most will exercise appropriate consideration.

If you have any questions or concerns about our plans, please contact me at the number below. We are committed to preventing any problems before they occur. If, however, any staff or client behaviors, whether related to smoking or not, are ever a concern for you (CHOOSE: OR YOUR EMPLOYEES or THOSE WITH WHOM YOU LIVE), please let me know.

We appreciate your help and support as we head toward DATE.

Sincerely,

NAME OF ADMINISTRATIVE CONTACT
COMPANY
TELEPHONE NUMBER / EMAIL

APPENDIX D: MAKE THE MOST OF TOBACCO-FREE SIGNAGE

The placement of tobacco-free signage is one of the many ways to communicate the tobacco-free status of your property. Because signage is a more permanent expression of a tobacco-free policy, it's worth doing right. The following guidelines will help you get the most out of your signage.

Sign Content & Design

- ▶ Be positive. Signs that communicate a positive message (ex: "This property is tobacco-free, thank you for your cooperation") may foster better compliance than language such as "Tobacco use is prohibited on this property." Color and graphics can help reinforce the positive, i.e., blue & green rather than red & black, for example.
- ▶ Word your signs to convey the scope of the policy as best you can. For example, "tobacco-free property" rather than "tobacco-free zone" helps communicate that tobacco use is not allowed anywhere on the property. "Tobacco-free" rather than "Smoke-free" helps to communicate that the policy includes non-combustible tobacco products as well as combustibles.
- ▶ Use the universal no-smoking symbol, especially if signage will be in English only. Consider use of universal no-smoking symbol that also includes e-cigarettes and smokeless tobacco products, if applicable (examples to the right).
- ▶ If the tobacco-free status of the property is required by law, consider including a reference to the law on the sign, including whether or not a violation is subject to a fine. Keep the primary messaging positive; include the legal reference as a secondary reinforcement.
- ▶ The signage must be legible. Use non-serif, non-italic fonts and dark print on lighter colored backgrounds.
- ▶ Consider branding your tobacco-free communications with the same color, messaging and, if applicable, slogan to help strengthen message recognition.
- ▶ Portable signage, such as sandwich boards or advertising flags, can help address tobacco use on property hotspots (see also Signage Placement on p. 16). Consider messaging that is supportive rather than punitive; for example "Having trouble not smoking on our property? Get support. Call 1-866-NY-QUITS."



APPENDIX D: MAKE THE MOST OF TOBACCO-FREE SIGNAGE

Signage Placement

- ▶ Signs should be visible the moment anyone enters the property.
 - Consider placing large signs at each drive-in entrance to the property that read, “Welcome to our Tobacco-Free Property” or “Thank you for helping keep our property healthy and tobacco-free.”
 - Additional signage should be strategically located to best ensure that all those visiting your campus will be informed that the property is tobacco-free. Locations can include points of access and egress whether in a vehicle or on foot, and in open parking areas.
- ▶ Signage should be placed at eye level and be appropriately sized to the location.
- ▶ Consider developing portable temporary signage (standing sandwich boards or signs affixed to portable posts) which can be used in smoking “hotspots” and/or to inform large visiting groups, repeat policy violators, contractors etc.
- ▶ Signage may be the only mechanism for communicating your tobacco-free status to visitors unfamiliar with the campus. Therefore, maximize the use of existing way-finding signs, directories, light poles, or digital message centers. This approach also helps minimize signage “noise” and message saturation.



Monitoring and Repair

- ▶ An ongoing maintenance and observation plan to address shifts of tobacco product litter and location of temporary signage will be dependent upon an active visual assessment of litter and smoking habits. This can be accomplished by the Operations and Maintenance Roads/Grounds crew assigned to debris clean-up as well as assigned personnel within Wellness and the Tobacco-Free committee at large.
- ▶ Signs should be kept in good condition, unblemished, posts straight. Signage that shows obvious wear and tear or is falling down suggests that the policy is also outdated and compliance is unnecessary. Replace damaged or worn signs in a timely way.

ENDNOTES

1. U.S. Department of Health and Human Services. *The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General*. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.
2. Xu X, Bishop EE, Kennedy SM, Simpson SA, Pechacek TF. "Annual Healthcare Spending Attributable to Cigarette Smoking: An Update." *American Journal of Preventive Medicine* 2014;48(3):326–333.
3. Berman M, Crane R, Seiber E, et al. "Estimating the cost of a smoking employee." *Tobacco Control* Published Online First: 03 June 2013. doi: 10.1136/tobaccocontrol-2012-050888.
4. US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation's Leading Killer*, 2011.
5. U.S. Department of Health and Human Services. *The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General*. 2014.
6. New York State Department of Health. BRFSS Brief, No. 1704. "Cigarette Smoking – New York State Adults, 2015."
7. US Department of Health and Human Services, Office of the Surgeon General. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General*, 2010.
8. Rath JM, Rubenstein RA, Curry LE, Shank SE, Cartwright JC. "Cigarette Litter: Smokers' Attitudes and Behaviors." *International Journal of Environmental Research and Public Health*. 2012;9(6).
9. World Health Organization. "Tobacco and its Environmental Impact: An Overview." Geneva 2017.
10. Slaughter E, Gersberg RM, Watanabe K, et al. "Toxicity of Cigarette Butts, and Their Chemical Components, to Marine and Freshwater Fish." *Tobacco Control* 2011;20: i25-i29.
11. Keep America Beautiful, Inc., *The 2009 National Visible Litter Survey and Litter Cost Study*, January 2010.
12. US Department of Health and Human Services, Office of the Surgeon General. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General*, 2010
13. Ibid.
14. Ibid.
15. Barnoya J and Glantz S. "Cardiovascular Effects of Secondhand Smoke: Nearly as Large as Smoking." *Circulation*, 111
16. U.S. Department of Health and Human Services. *The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General*.
17. Junker MH, Danuser B, Monn C, et al. "Acute Sensory Responses of Nonsmokers at Very Low Environmental Tobacco Smoke Concentrations in Controlled Laboratory Settings." *Environmental Health Perspectives*, 109(10): 2001.
18. Repace JL. "Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles." *William Mitchell Law Review*, 34(4): 2008
19. Kaufman P, Zhang, B, Bondy S, et al. "Not just 'a few wisps': real-time measurement of tobacco smoke at entrances to office buildings." *Tobacco Control*. Published Online First: 21 December 2010. doi:10.1136/tc.2010.041277.
20. National Academies of Sciences, Engineering, and Medicine. 2018. "Public Health Consequences of E-Cigarettes." Washington, DC: *The National Academies Press*. <https://doi.org/10.17226/24952>
21. Ibid.
22. International Agency for Research on Cancer. "Smokeless Tobacco and some Tobacco-specific N-Nitrosamines." Lyon, France: World Health Organization International Agency for Research on Cancer;2007. IARC Monographs on the Evaluation of Carcinogenic Risks to Humans, Volume 89.
23. American Cancer Society. *Health Risks of Smokeless Tobacco*. November 2015. <https://www.cancer.org/cancer/cancer-causes/tobacco-and-cancer/smokeless-tobacco.html#references>
24. Hatsukami DK and Severson HH. "Oral Spit Tobacco: Addiction, Prevention, and Treatment." *Nicotine and Tobacco Research*, 1(1): 1999.
25. Stewart WF, Ricci JA, Chee E, Morganstein D. "Lost Productive Work Time Costs from Health Conditions in the United States: Results from the American Productivity Audit". *Journal of Occupational and Environmental Medicine* 2003; 45(12):1234-1246.
26. Ibid
27. International Agency for Research on Cancer: Tobacco Smoke and Involuntary Smoking: Summary of Data Reported and Evaluation. Volume 83, Chapter 5.4: Other relevant data, 2004.
28. U.S. Department of Health and Human Services. *The Health Consequences of Smoking: What it Means to You*, A Report of the Surgeon General, Atlanta GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Office on Smoking and Health, 2004.
29. Centers for Disease Control and Prevention. *Save Lives, Save Money: Make Your Business Smoke-Free*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, June 2006.



Tobacco *Free* NYS