

Sample Smoking Policy for [Insert Business Name]

Effective Date: [Insert effective date]

Purpose:

[Insert business name] has adopted this smoking policy to comply with Ohio Law, R.C. 3794, and to protect all employees and patrons from secondhand smoke, an established cause of cancer, respiratory disease and other health hazards.

Definitions:

Ashtray – means any receptacle that is used for disposing of smoking materials including but not limited to ash and filters.

Enclosed area – means an area with a roof or other overhead covering of any kind and walls or side coverings of any kind, regardless of the presence of openings for ingress and egress, on all sides or on all sides but one.

Outdoor patio – means an area that is either: enclosed by a roof or other overhead covering and walls or side coverings on not more than two sides; or has no roof or other overhead covering regardless of the number of walls or other side coverings.

Smoking – means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted smoking device for burning tobacco or any other plant.

No Smoking Areas:

Smoking is strictly prohibited in enclosed areas - including but not limited to the bar, restaurant, meeting rooms, game rooms, private offices, reception areas, restrooms, stairwells, and hallways. This policy applies to all management, employees, clients, contractors, patrons and visitors.

Ashtrays are not permitted in areas where smoking is prohibited. All ashtrays must be removed from areas where smoking is prohibited, with one exception. Clean, unused ashtrays can be stored in the [Insert storage area where the public is not permitted entry] only for use in the [Insert smoking area, (e.g. outdoor patio)]. Ashtrays must remain in the area where smoking is permitted until they have been emptied and cleaned, when they can be returned to storage.

No Smoking signs will be prominently displayed in accordance with R.C. 3794, where smoking is prohibited, including at all entrances [*optional* , in each room, in the restrooms, and anywhere violation of the smoking law and policy tends to occur].

Smoking Areas:

Patrons are permitted to smoke outside away from doors, windows and vents where smoke cannot migrate into the building. [*Optional* - There is a disposal receptacle near the main entrance so smoking implements can be disposed prior to entering the building in accordance with R.C. 3794.] [Optional - Smoking is also prohibited within ## feet of the door to prevent patrons from having to walk through smoke or a group of people when entering or exiting.]

Employees will empty and clean ashtrays prior to returning them to storage inside the building in accordance with R.C. 3794. [Optional Ashtrays can be stored outside, there does not have to be an inside storage area for ashtrays used outside.]

Employees are permitted to smoke outside, [Insert when (e.g. during their break) and where (e.g. outside the employee entrance door)], where smoke does not enter the building. The door must be kept shut to prevent smoke from entering the building. [*Optional* – Smoking cessation services could be offered to aid employees who wish to quit.]

Training:

Management will provide employee training on the requirements of the smoking policy upon hire and refresher training when changes are made to the policy and other times as necessary. At a minimum, the training will include information on how to answer difficult questions, deal with problem patrons, and consequences for breaking or not enforcing the smoking policy. Employees will sign the Statement of Understanding at initial and refresher training. Employees will have access to the policy for review as needed so they can comply with and enforce it.

[*Optional* - A reminder sign about the smoking policy could be hung in the employee area to show management's commitment to this policy and remind employees to comply with and enforce it.]

Responsibilities:

All employees are expected to respectfully inform anyone who is smoking in a prohibited area that smoking is prohibited by Ohio Law and [Insert business name] policy, and direct them to extinguish the smoking implement or to smoke in an outside area where smoking is permitted.

Patrons shall not be served, who refuse to either extinguish their smoking implement or go outside to smoke when asked to do so by an employee. [*Optional* – A smoking complaint will be filed against patrons who are disruptive by continuing to disobey the law and smoking policy.]

Management or security will be informed and take further actions against patrons who repeatedly violate the smoking policy.

Non-retaliation:

[Insert Business name] or its employees shall not discharge, refuse to hire, or in any manner retaliate against any employee, applicant, or patron because such employee, applicant, or patron exercises any right to a smoke-free environment afforded by R.C. 3794, including, but not limited to, enforcing the law or reporting a violation of the law.

Last Review Date:

[*Insert Date Policy was last reviewed*]

**Statement of Understanding
Of the [Insert Business name] Smoking Policy**

I have read and fully understand the terms of [Insert Business name's] Smoking Policy.

I understand that any violation of this smoking policy will be subject to disciplinary action up to and including immediate discharge.

I understand that [Insert Business name] reserves the right to make changes to this policy as may be required and that I will be informed of any changes to this policy.

Employee Signature

Employee Printed Name

Date

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