

SMOKE-FREE



**South Dakota
Worksites Go
Smoke-free**



The 2002 South Dakota Legislature has passed the state's first comprehensive clean indoor air law, which will make most indoor worksites and public places smoke-free.

WHAT WORKSITES ARE AFFECTED?

The new law, which goes into effect July 1, 2002, will prohibit smoking in enclosed, indoor public places and worksites. The requirement affects both public and private employers. Separate smoking rooms or designated areas are no longer permitted indoors.

WHAT WORKSITES ARE EXEMPT?

The following worksites are exempt from the indoor smoke-free requirement:

- Establishments that have an alcoholic beverage, video lottery or gaming license
- Hotel sleeping rooms
- Private residences, except when used for daycare

WHAT ABOUT ENFORCEMENT?

States, communities and businesses that have implemented smoke-free laws and policies report that the laws are self-enforcing once customers and employees are made aware of the smoke-free status through signage and other communications. However, if there is a violation that cannot be remedied voluntarily, it should be reported to local law enforcement like any other code violation. The violation is a petty offense and subject to a \$20 fine.

WHAT ARE ADVANTAGES FOR EMPLOYERS?

- Smoking in the workplace increases costs to employers by an estimated \$1,300 per year per smoking employee (CDC, 1996).
- The Environmental Protection Agency estimates that eliminating exposure to secondhand smoke in most indoor environments would save \$35 billion to \$66 billion per year (due to premature deaths avoided and reduction in illness).
- Independent, objective and peer-reviewed studies from across the country have demonstrated that there is NO negative impact on restaurant sales or employment from smoke-free restaurant laws. Studies indicate that the impact of smoke-free laws and ordinances does not adversely affect, and may increase, business.
- Reduce absenteeism
- Reduce cleaning and maintenance costs
- Reduce health care costs to the company

- Reduce costs for health, life and disability coverage
- Reduce liability exposure for smoking-caused disease and disability
- Increase smokers' quit rates

IS HELP AVAILABLE TO EMPLOYEES WHO WANT TO QUIT SMOKING?

You can help your employees with their decision to quit by encouraging them to call 1-866-SD-QUITS. The South Dakota Quit Line offers over-the-phone coaching and access to quit-smoking products and materials. Employees can call the line at their convenience. Call the South Dakota Quit Line toll-free at: 1-866-SD-QUITS (1-866-737-8487).

ADDITIONAL RESOURCES

Smoke-free building signs

- "Smoke-free building" static-cling window signs are available free of charge by calling the American Cancer Society at (800) 214-1966.

Making Your Workplace Smoke-free: a guide from the U.S. Centers for Disease Control and Prevention

- http://www.cdc.gov/tobacco/research_data/environmental/etsguide.htm

The American Lung Association's Freedom from Smoking® on-line cessation program, available 24 hours a day, seven days a week, offers on-line assistance for those trying to quit.

- <http://www.ffsonline.org>

The Smoke-free Environments Law Project provides information, consultation and advice for businesses, local units of government, and individuals on policies and practices to protect employees and the general public from the harmful effects of secondhand smoke and to address the legal requirements and liability issues related to secondhand smoke. While SFELP is a law project serving just Michigan, most of the information on this site is relevant to all states.

- <http://www.tcsg.org/sfelp/home.htm>

If you have any questions or concerns, please contact the South Dakota Tobacco-Free Kids Network at (605) 336-7222 or via e-mail at: tobaccofree@americanlungsd.org