

# What is Secondhand Smoke?

In a 2006 report, former U.S. Surgeon General Richard Carmona said, "The debate is over. The science is clear: Secondhand smoke is not a mere annoyance, but a serious health hazard that causes premature death and disease in children and nonsmoking adults."

Secondhand smoke contains more than 4,000 chemicals, including at least 69 carcinogens. Secondhand smoke is a proven cause of lung cancer, heart disease, serious respiratory illnesses such as bronchitis and asthma, low birth weight and sudden infant death syndrome. It is responsible for tens of thousands of deaths in the United States each year.

There is no safe level of exposure, and only smoke-free laws provide effective protection from secondhand smoke.

## Nebraska Clean Indoor Air Act of 2008

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As of June 1, 2009, restaurants and bars in Nebraska will be smoke-free. The Nebraska Clean Indoor Air Act of 2008 ensures that workers in the hospitality industry will have a safe workplace and that everyone can breathe clean, smoke-free air when eating out or spending a night on the town. Only smoke-free laws provide effective protection from secondhand smoke.

### WEB

[smokefree.ne.gov](http://smokefree.ne.gov)

### PHONE

1-877-633-7331

### E-MAIL

[smoke.free@dhhs.ne.gov](mailto:smoke.free@dhhs.ne.gov)

AA/EOE/ADA  
March 2009



# SMOKEFREE nebraska

So long smoke. Hello clean air.  
June 1, 2009

## A Guide for the Hospitality Industry

## What does the amended law do?

Effective June 1, 2009, all Nebraska restaurants, bars and most other indoor places of employment including offices and stores will be required to be entirely smoke-free to protect employees and the public from secondhand smoke. Businesses are free to institute voluntary smoke-free policies before June 2009.

## What happens if I don't ask customers to stop smoking?

If you fail to comply with the new law, an employee, visitor or member of the public may file a complaint with the local health department or the Nebraska Department of Health and Human Services (NDHHS). Ultimately, you may be issued warnings, fines or violations.

## Should I post signs?

Posting signs at each entrance and in prominent locations inside your business can help educate your customers about the law. Posting signs before the effective date of the new law will help make the transition to smoke-free air smooth for both employees and patrons. Smoke-free coasters and door decals are available free of charge from NDHHS.

## How do I deal with customers who want to smoke?

Remind your customers of the law and politely explain that they must step outside to smoke. Train your staff about what to say to customers, for example: *"We're now smoke-free, you'll have*

## To Help Prepare ...

### **One Month before Effective Date**

- Consider posting signs at entrances, inside and in outdoor nonsmoking and smoking areas.
- Educate employees about the new law.
- Distribute information available at [smokefree.ne.gov](http://smokefree.ne.gov) to all employees.

### **Effective Date (and one day before)**

- Remind employees and smoking patrons about the new law.
- Offer special "smoke-free" drinks or dishes.

### **After Effective Date**

- Celebrate the successful transition to healthy air!
- Enjoy the ongoing cost savings from employee wellness and reduced maintenance.

*to put out your cigarette," or "The new smoke-free law prohibits smoking indoors. Thanks for your cooperation."*

## What if a customer refuses to comply?

If necessary, use your normal protocol for removing a disruptive customer from your premises.

## Am I required to provide a smoking break room for my employees?

No. In fact, the smoke-free law prohibits employers from providing a smoking room. Businesses that currently have a separate room for smoking can no longer allow smoking in these rooms or anywhere else inside. Simply inform your smoking employees that they must go outside to smoke. Be sure to communicate early and clearly with your employees to ensure they understand how the new smoke-free workplace law applies to both them and your customers.

## What are the penalties?

A person who smokes in a place of employment or a public place in violation of the Nebraska Clean Indoor Air Act is guilty of a Class V misdemeanor (maximum \$100 fine) for the first offense and Class IV misdemeanor (minimum \$100, maximum \$500 fine) for the second and subsequent offense. Charges can be dismissed upon successful completion of a smoking cessation program. A proprietor that fails, neglects or refuses to perform a duty under the Act is guilty of a class V misdemeanor for the first offense and class IV misdemeanor for the second and subsequent offenses.

## Where can I get more information?

Go to [smokefree.ne.gov](http://smokefree.ne.gov), call toll-free: 1-877-633-7331, e-mail: [smoke.free@dhhs.ne.gov](mailto:smoke.free@dhhs.ne.gov) or contact your local health department.